

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2011 AUG 23 AM 11:20

IN THE MATTER OF:)

Family Tree Corporation)
2150 W. 29th Avenue, Suite 500)
Denver, CO 80202)

Respondent.)

Docket No. CWA-08-2011-0013

FILED
EPA REGION VIII
HEARING CLERK

ORDER ON MOTION FOR SECOND REQUEST TO EXTEND TIME
FOR FILING AN ANSWER

On August 19, 2011, a Joint Settlement Report and Second Request to Extend Time for Filing an Answer was filed with the Regional Hearing Clerk. In the Report, the parties indicate that additional time is needed to continue settlement discussions. As stated in the request for additional time, the parties have been attempting to resolve the matter outside litigation. In furtherance of the settlement, Respondent has been working to bring the facility into compliance with the Spill Prevention, Control and Countermeasure (SPCC) regulations.

Pursuant to 40 C.F.R. § 22.7(b), for good cause shown, the second request for an extension of time for filing an answer is GRANTED. On or before September 30, 2011, the parties will either file a fully executed consent agreement or Respondent will file an answer. There will be no additional extensions of time granted for filing an answer. Filing an answer does not preclude the parties from continuing to resolve this matter through settlement.

So ORDERED this 23rd day of August, 2011.



Elyana R. Sutin
Regional Judicial Officer
US EPA, Region 8

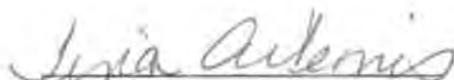
CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER ON MOTION FOR SECOND REQUEST TO EXTEND TIME FOR FILING AN ANSWER**, in the matter of **FAMILY TREE CORPORATION, DOCKET NO.: CWA-08-2011-0013** was filed with the Regional Hearing Clerk on August 23, 2011.

Further, the undersigned certifies that a true and correct copy of the document was e-mailed to Amy Swanson, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on August 23, 2010, to:

Jonathon Rapacki
Family Tree Corporation
2150 West 29th Avenue, Suite 500
Denver, CO 80211

August 23, 2011



Tina Artemis
Paralegal/Regional Hearing Clerk

