

RE: CWA-08-2011-0039
Sheryl Holter Vogel to: Maria Whiting-Beale
Cc: Tina Artemis

2011 DEC 28 AM 9:55

12/28/2011 09:49 AM

MAILED
EPA REGION VIII
TRAINING CLERK

From: Sheryl Holter Vogel <Sheryl@wedefendyou.net>
To: Maria Whiting-Beale/DC/USEPA/US@EPA
Cc: Tina Artemis/R8/USEPA/US@EPA

This email is to reconfirm that DeWayne Johnston is willing to participate in ADR on behalf of Gowan Construction. Please inform us of scheduling dates.

Thank you.

Sheryl Holter Vogel
Assistant to DeWayne Johnston
Johnston Law Office 221 South 4th Street
Grand Forks, ND 58201
701-775-0082
701-775-2230 (fax)
sheryl@wedefendyou.net

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-----Original Message-----

From: Maria Whiting-Beale [mailto:Whiting-Beale.Maria@epamail.epa.gov]
Sent: Wednesday, December 21, 2011 10:32 AM
To: Sheryl Holter Vogel
Subject: Re: CWA-08-2011-0039

E-mail rec'd.

From: Sheryl Holter Vogel
Sent: Wednesday, December 21, 2011 10:28 AM
To: whiting-beale.maria@epa.gov
Cc: DeWayne Johnston

Subject: CWA-08-2011-0039

2011 DEC 28 AM 9:55

Dear Ms. Whiting-Beale,

DeWayne Johnston has received a December 14, 2011 letter from Susan L. Biro regarding ADR. As requested in the letter, this email is to serve as notice that Mr. Johnston is interested and willing to voluntarily participate in the court sponsored ADR. We ask that dates and places be set to conduct the ADR.

If you have any questions, please do not hesitate to contact myself or Mr. Johnston. Thank you.

Sheryl Holter Vogel
Assistant to DeWayne Johnston
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**Gowan Construction, Inc. and North Dakota Department of Transportation:
Docket No. CWA-08-2011-0039**

Jim Eppers to: Maria Whiting-Beale, Tina Artemis
Cc: Sheldon Muller, Darcy Oconnor, Seth Draper

12/23/2011 12:38 PM

From: Jim Eppers/R8/USEPA/US
To: Maria Whiting-Beale/DC/USEPA/US@EPA, Tina Artemis/R8/USEPA/US@EPA
Cc: Sheldon Muller/R8/USEPA/US@EPA, Darcy Oconnor/R8/USEPA/US@EPA, Seth Draper/R8/USEPA/US@EPA

Dear Ms. Whiting-Beale,

EPA Region 8 accepts Judge Biro's offer to participate in ADR in an effort to settle the subject case.

I am Region 8's Acting REU Chief for the Legal Enforcement Program and am sending this acceptance on behalf of Sheldon Muller, the Region 8 attorney assigned to the case. I have communicated with Sheldon and Darcy O'Connor of Region 8's Technical Enforcement Program concerning Region 8's participation in the ADR process.

Responses:

1. Sheldon Muller 303-312-6916
2. Gowan Construction, Inc. and North Dakota Department of Transportation
3. Docket No. CWA-08-2011-0039
4. United States Environmental Protection Agency
5. Yes, Region 8 elects to participate in the ADR process

I will also call you with this information. If you have any questions or comments, please do not hesitate to contact me.

Thank you.

Jim Eppers
Senior Attorney
Legal Enforcement Program
USEPA Region 8
1595 Wynkoop Street (ENF-L)
Denver, CO 80202-1129
303-312-6893
FAX: 303-312-6953
e:mail eppers.jim@epa.gov

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Fw: CWA-08-2011-0039
Maria Whiting-Beale to: Tina Artemis

2011 DEC 28 AM 9:56
12/21/2011 09:32 AM

From: Maria Whiting-Beale/DC/USEPA/US
To: Tina Artemis/R8/USEPA/US@EPA

FILED
EPA REGION VIII
HEARING CLERK

----- Forwarded by Maria Whiting-Beale/DC/USEPA/US on 12/21/2011 11:32 AM -----

From: Sheryl Holter Vogel <Sheryl@wedefendyou.net>
To: Maria Whiting-Beale/DC/USEPA/US@EPA
Cc: DeWayne Johnston <DeWayne@wedefendyou.net>
Date: 12/21/2011 11:28 AM
Subject: CWA-08-2011-0039

Dear Ms. Whiting-Beale,

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