

montgomery goff & bullis



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EPA REGION VIII
HEARING CLERK

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August 14, 2009

Regional Hearing Clerk (8RC)
US EPA, Region 8
1595 Wynkoop Street
Denver CO 80202-1129

RE: Proposed Assessment of Civil Penalty against 47th Street
Townhomes, LLC, Jordahl Custom Homes, Inc., and Master
Construction Co., Inc.
Docket No.: CWA 08-2009-0021
Our File No. JRB-1515-3

Dear Clerk:

Enclosed herewith for filing please find the following:

1. 47th Street Townhomes, LLC's and Jordahl Custom Homes, Inc.'s Answer and Request for Hearing; and,
2. Affidavit of Service by Mail.

Very truly yours,

Kyle G. Pender
KGP/jjy
Enclosure
pc: Client
Peggy Livingston

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2009 AUG 17 PM 3: 12

In the Matter of:)	Docket No.: CWA-08-2009-0021	FILED
)		EPA REGION VIII
47 th Street Townhomes, LLC,)	47TH STREET TOWNHOMES, LLC'S	CLERK
Jordahl Custom Homes, Inc.,)	AND JORDAHL CUSTOM HOMES,	
and)	INC.'S ANSWER TO PENALTY	
Master Construction Co., Inc.)	COMPLAINT AND REQUEST FOR	
)	HEARING	
Respondents.)		

Respondents, 47th Street Townhomes, LLC (hereinafter "47th Street") and Jordahl Custom Homes, Inc. (hereinafter "Jordahl") as and for their Answer to the Penalty Complaint and Notice of Opportunity for Hearing ("Complaint") allege and state as follows:

1. Except as is hereinafter admitted, qualified, or otherwise explained, Respondents, 47th Street and Jordahl deny each and every allegation of the Complaint.

2. Respondents, 47th Street and Jordahl admit Paragraphs 1 through 7, 9 through 27, 29 through 33, 35, and 37 of the Complaint.

3. Respondents, 47th Street and Jordahl admit Paragraph 8 of the Complaint to the extent that Master Construction began construction on or about April 28, 2008. Respondents deny that Master Construction had completed construction by May 30, 2008.

4. Respondents, 47th Street and Jordahl admit Paragraph 28 of the Complaint to the extent that the Environmental Protection Agency apparently inspected the site on or about September 23, 2008.

