

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8 1595 Wynkoop Street DENVER, CO 80202-1129 Phone 800-227-8917

2011 JAN -7 AM 11:24

EPA REGION VIN NEIARING CLERK

DOCKET NO.: CAA-08-2010-0026

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http://www.epa.gov/region08

CHS, INC	
601 Depot	Avenue
Garretson,	South Dakota

RESPONDENT

ORDER GRANTING SECOND EXTENSION OF TIME TO FILE ANSWER

By Motion dated, January 5, 2011, Respondent through its attorneys, William Michael, Jr., and Theresa M. Bevilacqua, has requested a **MOTION FOR EXTENSION OF TIME FOR 45 DAYS** to and including February 14, 2011 to respond to the **COMPLAINT AND NOTICE OF OPPORTUNITY FOR HEARING** filed on September 30, 2010. The Respondent states the Parties have reached a tentative agreement in this matter and need an additional 45-days to respond. The Complainant does not oppose this extension request.

Accordingly, the Motion for Extension of Time is hereby granted pursuant to Section 22.16 of the Consolidated Rules of Practice.

SO ORDERED THIS The ofander

Elyana R. Sutir Regional Judicial Officer

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached ORDER GRANTING SECOND EXTENSION OF TIME TO FILE ANSWER, in the matter of CHS, INC.; DOCKET NO.: CAA-08-2010-0026 was filed with the Regional Hearing Clerk on January 7, 2011.

Further, the undersigned certifies that a true and correct copy of the documents were delivered Marc Weiner, 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 and e-mailed on January 7, 2011, to:

William Michael, Jr. Theresa M. Bevilacqua Dorsey & Whtiney LLP. 50 South Sixth Street, Suite 1500 Minneapolis, MN 55402 <u>Michael.williams@dorsey.com</u> <u>Bevilacqua.theresa@dorsey.com</u>

January 7, 2011

Vento

Tina Artemis Paralegal/Regional Hearing Clerk