

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2010 NOV -9 PM 3:03

Docket No. CAA-08-2010-0026

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF:

**CHS, Inc. Garretson** )  
601 Depot Avenue )  
Garretson, South Dakota 57030 )  
Respondent. )  
\_\_\_\_\_ )


**ORDER GRANTING  
EXTENSION OF TIME TO FILE  
ANSWER**

By **MOTION** dated, November 8, 2010, through Complainant's attorney, Marc Weiner, a request for an **EXTENSION OF RESPONSE DEADLINE OF 60 DAYS** to and including January 7, 2011, was filed. The Motion was made on behalf of the Respondent.

Pursuant to 40 C.F.R. § 22.7(b) an extension of time can be granted by the Presiding Officer upon timely motion and good cause shown. The Motion states the parties wish to fully explore settlement. Based on the diligence of the parties to submit a Motion, I am willing to agree to an extension of time. Please note that any future requests for an extension to file an Answer must contain more than "exploring settlement" as a basis for showing good cause for an extension of time. Filing an Answer does not preclude the parties from continuing with settlement discussions.

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

SO ORDERED THIS 9<sup>th</sup> OF November, 2010.

  
\_\_\_\_\_  
Elyana R. Sutin  
Regional Judicial Officer

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER GRANTING EXTENSION OF TIME TO FILE ANSWER** in the matter of **CHS, Inc. Garretson.: CAA-08-2010-0026** was filed with the Regional Hearing Clerk on November 9, 2010.

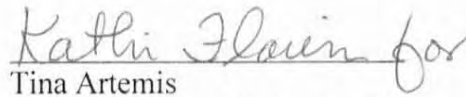
Further, the undersigned certifies that true and correct copies of the documents were delivered to Marc Weiner, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on November 10, 2010 to:

William Michael, Jr., Esq.  
Dorsey & Whitney, LLP  
50 South Sixth Street, Suite 1500  
Minneapolis, MN 55402-1498

E-mailed to:

Michelle Angel  
U. S. Environmental Protection Agency  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-0002)  
Cincinnati, Ohio 45268

November 10, 2010

  
Tina Artemis  
Paralegal/Regional Hearing Clerk