



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2010 MAY -6 AM 10:03

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF:)	DOCKET NO.: CWA-08-2009-0034
)	
PETROLEUM DEVELOPMENT)	ORDER GRANTING MOTION
CORPORATION)	TO DISMISS WITHOUT PREJUDICE
)	
Respondent)	
_____)	

Pursuant to 40 C.F.R., §22.14(d) of EPA's Consolidated Rules of Practice, on April 29, 2010, the Complainant filed a "Motion to Dismiss Without Prejudice" in this matter. The Motion requests Count 2 of the Administrative Penalty Complaint (complaint) be dismissed. Respondent does not oppose the Motion. An agreement between the parties has been reached and a Consent Agreement is forthcoming.

For the reason stated above the "Motion to Dismiss Without Prejudice" is hereby **GRANTED.**

SO ORDERED THIS 6th day of May, 2010.



Elyana R. Sutin
Regional Judicial Officer

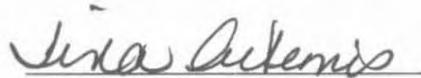
CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE** in the matter of **PETROLEUM DEVELOPMENT CO.; DOCKET NO.: CWA-08-2009-0034** was filed with the Regional Hearing Clerk was filed on May 6, 2010.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Margaret "Peggy" Livingston, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail via first-class mail on May 6, 2010, to:

Roger Freeman
Davis, Graham & Stubbs, LLP
1550 17th Street, Suite 500
Denver, CO 80202

May 6, 2010


Tina Artemis
Paralegal/Regional Hearing Clerk

