



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 8
 1595 WYNKOOP STREET
 DENVER, CO 80202-1129
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<http://www.epa.gov/region08>

2019 AUG -2 PM 2:13
 FILED
 EPA REGION VIII
 HEARING CLERK

DOCKET NO.: SDWA-08-2019-0022

IN THE MATTER OF:)
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 CRESCENT POINT ENERGY U.S. CORP.) **ORDER**
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 RESPONDENT)

Pursuant to 40 C.F.R. § 22.13(b) and §§ 22.18(b)(2) and (3) of EPA’s Consolidated Rules of Practice, the Motion for Extension dated July 30, 2019, is hereby approved and incorporated by reference into this Final Order.

The Respondent is hereby **ORDERED** to file an answer to the complaint on or before September 6, 2019, if the matter is not otherwise resolved before that time.

SO ORDERED THIS 1st DAY OF August, 2019.



 Katherin E. Hall
 Regional Judicial Officer

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2019 JUL 30 PM 2: 28

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HEARING CLERK

IN THE MATTER OF)
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 Crescent Point Energy U.S. Corp.,)
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 Respondent.)
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 Proceedings under Section 1423(c) of the Safe)
 Drinking Water Act 42 U.S.C. 300h-2(c))

**RESPONDENT'S SECOND MOTION
TO EXTEND TIME TO FILE AN
ANSWER**

Docket No. SDWA-08-2019-0022

**RESPONDENT'S SECOND MOTION FOR EXTENSION OF TIME
TO FILE AN ANSWER**

Respondent Crescent Point Energy U.S. Corp. respectfully requests that the Presiding Officer grant an additional thirty (30) day extension of time to file an Answer in the above captioned matter from August 7, 2019, until September 6, 2019. This motion is brought under 40 C.F.R. § 22.7 and is supported by Respondent's Memorandum in Support of Respondent's Motion to Extend Time to File Answer, filed herewith.



Dated: July 30, 2019

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*Attorneys for Respondent
Crescent Point Energy U.S. Corp.*

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 Crescent Point Energy U.S. Corp.,)
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 Respondent.) Docket No. SDWA-08-2019-0022
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 Proceedings under Section 1423(c) of the Safe)
 Drinking Water Act 42 U.S.C. 300h-2(c))

**MEMORANDUM IN SUPPORT OF RESPONDENT'S SECOND MOTION
TO EXTEND TIME TO FILE AN ANSWER**

A Complaint and Notice of Opportunity for Hearing ("Complaint") was filed by the U.S. Environmental Protection Agency, Region 8 ("Complainant") in this matter on June 3, 2019. Respondent accepted service of the Complaint on or about June 7, 2019. Under the Consolidated Rules of Practice, 40 C.F.R. § 22.15(a), Respondent's Answer was originally due on or about July 8, 2019, which is thirty (30) days after receipt of the Complaint. Respondent filed a Motion to Extend Time to File an Answer in this matter on June 28, 2019, which the Regional Judicial Officer approved by order on July 1, 2019.

40 C.F.R. § 22(7)(b) states that the Presiding Officer may grant an extension of time to file an answer upon filing of timely motion, a showing of good cause, and after consideration of prejudice to other parties to the action.

This motion is timely, having been filed well in advance of the August 7, 2019 date for Respondent's Answer to the Complaint.

This motion complies with the "good cause" requirement of 40 C.F.R. § 22.7(b). It is EPA's policy to encourage settlement and avoid litigation when consistent with the provisions

and objectives of the law at issue. *See* 40 C.F.R. § 22.18(b). Respondent and Complainant are in active negotiations to resolve the violations alleged in the Complaint. On July 29, 2019, Respondent and Complainant held a settlement teleconference, whereupon the parties agreed to reach settlement of the claims via a proposed consent agreement and final order resolving the matter. Until the process of drafting and reviewing the proposed consent agreement and final order is complete, the parties do not believe it is in their best interest to be expending resources on litigation. Therefore, Respondent believes that “good cause” exists for an extension of time until September 6, 2019, for Respondent to file its Answer in order to avoid the unnecessary use of resources by this forum and the parties on litigation when those resources would be better spent on efforts to resolve the matter.

Finally, granting this motion will not result in prejudice, as both parties have already agreed that seeking the additional extension is appropriate. During the July 29, 2019 settlement teleconference, Counsel for Complainant, Mia Bearley, confirmed that Complainant supports this request for an extension.

For the reasons set forth above, Respondent respectfully requests that the Presiding Officer grant Respondent’s request for a thirty (30) day extension of time to file its Answer in the above captioned matter.

Dated: July 30, 2019



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*Attorneys for Respondent
Crescent Point Energy U.S. Corp.*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing RESPONDENT'S SECOND MOTION TO EXTEND TIME TO FILE AN ANSWER and MEMORANDUM IN SUPPORT OF RESPONDENT'S SECOND MOTION TO EXTEND TIME TO FILE AN ANSWER in the matter of Crescent Point Energy U.S. Corp., Docket No. SDWA-08-2019-0022, was sent by courier and electronic mail to the following persons on the date specified:

Missy Haniewicz, Regional Hearing Clerk
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1595 Wynkoop Street
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Dated: July 30, 2019



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Crescent Point Energy U.S. Corp.*

CERTIFICATE OF SERVICE

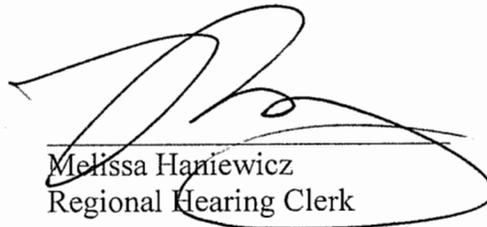
The undersigned certifies that the original of the attached **ORDER** for the **MOTION FOR EXTENSION OF TIME** in the matter of **CRESCENT POINT ENERGY U.S. CORP.**; **DOCKET NO.: SDWA-08-2019-0022** was filed with the Regional Hearing Clerk on August 2, 2019.

Further, the undersigned certifies that a true and correct copy of the documents were emailed to, Mia Bearley, Enforcement Attorney. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt on August 2, 2019, to:

Respondent's legal representation

Radcliffe Dann IV
Davis Graham & Stubbs LLP
1550 17th Street, Suite 500
Denver, Colorado 80202

August 2, 2019



Melissa Haniewicz
Regional Hearing Clerk