

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Astro Auto Wrecking, LLC

Federal Way, Washington

Respondent.

DOCKET NO. CWA-10-2021-0097

**Motion to Stay Consideration of Motion for
Default Judgment**

On April 29, 2021, the Director of the Enforcement and Compliance Assurance Division in Region 10 of the United States Environmental Protection Agency (“Complainant”) filed a Complaint against Astro Auto Wrecking, LLC (“Respondent”) alleging violations of the Clean Water Act (Dkt. No. 1). Pursuant to 40 C.F.R. §§ 22.15(a) and 22.7(c) the Respondent’s answer was due on or around June 2, 2021. On March 1, 2022, Complainant filed a Motion for Default Judgment pursuant to 40 C.F.R. § 22.17 alleging that Respondent failed to file a timely answer to the Complaint.

Complainant and Respondent (“Parties”) have conferred and intend to seek a negotiated resolution to this matter. Complainant therefore requests that the Presiding Officer stay consideration of the Motion for Default Judgment for a period of 30 days to allow for the Parties to engage in settlement discussions. At the close of the 30-day period Complainant proposes to file a status report informing the Presiding Officer of the status of discussions and whether the Parties need additional time to pursue settlement discussions. If additional discussions are not warranted Complainant will so advise the Presiding Officer and request that the stay for consideration of the Motion for Default Judgment be lifted.

There is good cause to grant this Motion because it will allow the Parties time to explore the possibility of a negotiated settlement and potentially avoid active litigation on Complainant’s Motion for Default Judgment that may not be necessary and may impair the Parties’ efforts to

reach settlement. Thus, the relief requested in this Motion may preserve the resources of the Presiding Officer as well as of the Parties. Complainant has conferred with Respondent and hereby represents that Respondent supports this Motion.

Respectfully submitted,

E. Alexander Fidis
Assistant Regional Counsel
U.S. EPA, Region 10
1200 6th Avenue, Suite 155, M/S 11-C07
Seattle, WA 98101-3140
(206) 553-4710
Fidis.alexander@epa.gov