

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

901 NORTH FIFTH STREET  
KANSAS CITY, KANSAS 66101

BEFORE THE ADMINISTRATOR

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IN THE MATTER OF	)	Docket No. CWA 07-2009-0073
	)	
MID-AMERICAN COACHES, INC.	)	
	)	
WASHINGTON, MISSOURI	)	COMPLAINT, NOTICE OF
	)	PROPOSED PENALTY AND
	)	NOTICE OF OPPORTUNITY FOR
	)	HEARING
	)	
Respondent,	)	
	)	
Proceedings under Section 309(g) of the	)	
Clean Water Act, 33 U.S.C. § 1319(g)	)	

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**UNOPPOSED MOTION TO AMEND COMPLAINT**

COMES NOW, Complainant, the United States Environmental Protection Agency (“EPA”) pursuant to 40 C.F.R. 22.14(c) and requests leave from the Court to amend the Complaint. EPA has consulted with Respondent’s counsel and Respondent’s counsel does not oppose this motion.

EPA filed its Complaint on May 26, 2009. Respondent filed its Answer on July 31, 2009. Since that time the Parties have been engaged in the ADR process, which has resulted in an agreement between the Parties.

EPA requests leave to amend the Complaint to resolve all current violations of Respondent’s NPDES permit. EPA and Respondent have agreed that the Consent Agreement and Final Order (CAFO) should address all outstanding violations of the

NPDES permit and reflect that EPA is no longer pursuing Count V. To accomplish this the Parties have agreed that amendment of the Complaint is appropriate. A copy of the First Amended Complaint is attached hereto as Exhibit A.

EPA's request to amend the Complaint will not unduly delay the proceedings or prejudice any party. The Parties intend to have a fully executed CAFO shortly.

WHEREFORE, EPA requests the Court grant leave to amend the Complaint pursuant to 40 C.F.R. 22.14(c) and deem the Complaint filed and served on the date of the order granting this motion.

Respectfully submitted,



Sara Hertz Wu  
Assistant Regional Counsel

ATTORNEY FOR UNITED STATES  
ENVIRONMENTAL PROTECTION  
AGENCY

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was sent by electronic and U.S. mail to the following persons listed below.

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