

6:33AM

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 7  
 11201 RENNER BOULEVARD  
 LENEXA, KANSAS 66219

Received by  
 EPA Region 7  
 Hearing Clerk

|                             |   |                             |
|-----------------------------|---|-----------------------------|
| IN THE MATTER OF            | ) |                             |
|                             | ) |                             |
| Evergreen Development, Inc. | ) |                             |
|                             | ) |                             |
| and                         | ) | Docket No. CWA-07-2022-0042 |
|                             | ) |                             |
| Mark Schmidt,               | ) |                             |
|                             | ) |                             |
| Respondents.                | ) |                             |
| _____                       | ) |                             |

**ORDER DECLINING TO RULE ON MOTION FOR EXTENSION OF TIME**

By Motion received November 14, 2022, Mark Schmidt, as Respondent and as Respondent Evergreen Development, Inc.'s Registered Agent, requested an Extension of Time to Respond to the Findings of Violation and Order for Compliance, which was served on October 13, 2022. In general, my jurisdiction and authority are limited to those matters that are set forth in the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice") set forth at 40 C.F.R. Part 22.

The Consolidated Rules of Practice do not govern administrative orders for compliance under Section 309(a) of the Clean Water Act. As a result, I do not have jurisdiction/authority to rule on the request for Extension of Time to Respond to the Findings of Violation and Order for Compliance. Respondents may refer to the "Order for Compliance" section in the Findings of Violation and Order for Compliance for information.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Karina Borromeo  
 Regional Judicial Officer