



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 8
 1595 WYNKOOP STREET
 DENVER, CO 80202-1129
 Phone 800-227-8917
<http://www.epa.gov/region08>

DOCKET NO.: SDWA-08-2019-0022

IN THE MATTER OF:)	
)	
CRESCENT POINT ENERGY U.S. CORP.)	ORDER
)	
)	
)	
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 June 28, 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 August 7, 2019, if the matter is not otherwise resolved before that time.

SO ORDERED THIS 15th DAY OF July, 2019.



 Katherin E. Hall
 Regional Judicial Officer

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2019 JUN 28 AM 10:53

FILED
EPA REGION VIII
HEARING CLERK

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

MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER

Respondent Crescent Point Energy U.S. Corp. respectfully requests that the Presiding Officer grant a thirty (30) day extension of time to file an Answer in the above captioned matter from on or about July 8, 2019, until August 7, 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: June 28, 2019



Radcliffe Dann IV
Lucas Satterlee
Davis Graham & Stubbs LLP
1550 17th Street, Suite 500
Denver, CO 80202
303.892.7453
Randy.Dann@dgsllaw.com

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

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 Drinking Water Act 42 U.S.C. 300h-2(c))

MEMORANDUM IN SUPPORT OF MOTION TO EXTEND TIME TO FILE 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 is currently due on or about July 8, 2019, which is thirty (30) days after receipt of the Complaint.

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 July 8, 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). The parties have made

arrangements to engage in settlement negotiations to resolve the violations alleged in the Complaint. The parties are in the process of scheduling a settlement conference with Ms. Mia Bearley, Senior Assistant Region Counsel, U.S. EPA Region 9. Respondent and its counsel have had several discussions with Ms. Bearley regarding an appropriate date and will likely schedule the informal settlement conference for some time in July 2019. Until this process 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 August 7, 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 extension is appropriate. Counsel for Complainant, Mia Bearley, has confirmed, via email dated June 25, 2019, 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: June 28, 2019



Radcliffe Dann IV
Lucas Satterlee
Davis Graham & Stubbs LLP
1550 17th Street, Suite 500
Denver, CO 80202
303.892.7453
Randy.Dann@dgsllaw.com

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

CERTIFICATE OF SERVICE

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

Missy Haniewicz, Regional Hearing Clerk
U.S. EPA Region 8 (8ORC-IO)
1595 Wynkoop Street
Denver, Colorado 80202-1129
haniewicz.melissa@epa.gov

Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, Colorado 80202
bohan.suzanne@epa.gov

Mia Bearley
Senior Assistant Regional Counsel
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, Colorado 80202
bearley.mia@epa.gov



Dated: June 28, 2019

Radcliffe Dann IV
Lucas Satterlee
Davis Graham & Stubbs LLP
1550 17th Street, Suite 500
Denver, CO 80202
303.892.7453
Randy.Dann@dgsllaw.com

*Attorneys for Respondent
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 July 3, 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 July 3, 2019, to:

Respondent's legal representation

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

July 3, 2019



Beth Archer
Acting Regional Hearing Clerk