

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

IN THE MATTER OF)
)
ADAMAS CONSTRUCTION AND) COMPLAINANT’S MOTION FOR
DEVELOPMENT SERVICES, PLLC) EXTENSION OF TIME TO PROVIDE
) INFORMATION IN RESPONSE TO
) ORDER ON COMPLAINANT’S
) MOTION FOR ACCELERATED
) DECISION AND RESPONDENTS’
) ADDITIONAL REQUESTS FOR
) DISCOVERY
)
AND)
)
NATHAN PIERCE,)
)
Respondents) Docket No. CWA-07-2019-0262
)
Proceedings under Section 309(g) of the)
Clean Water Act, 33 U.S.C. § 1319(g))

COMPLAINANT’S MOTION FOR EXTENSION OF TIME TO PROVIDE INFORMATION
IN RESPONSE TO ORDER ON COMPLAINANT’S MOTION FOR ACCELERATED
DECISION AND RESPONDENTS’ ADDITIONAL REQUESTS FOR DISCOVERY

COMES NOW, the United States Environmental Protection Agency (“EPA” or
“Complainant”), pursuant to the Consolidated Rules of Practice Governing the Administrative
Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40
C.F.R. §§ 22.1 to 22.45 and submits this Motion for Extension of Time to Provide Information in
Response to Order on Complainant’s Motion for Accelerated Decision and Respondents’
Additional Requests for Discovery.

1. The Court in its April 20, 2022, Order requested that by April 29, 2022, the

parties provide statements that include periods of unavailability for a six-day hearing during July, August, September, or October 2022 and a preference for a videoconference or in person hearing.

2. EPA requests an additional two weeks, until May 13, 2022, to provide this statement to the Court in order to contact potential witnesses to ascertain their availability for hearing and to allow time for new attorneys assigned to the case to review case materials.

3. EPA conferred with Respondents and they do not object to an extension of time.

4. Neither party will be prejudiced by a two-week extension to provide the information to the Court.

Therefore, EPA respectfully requests that the date for providing the availability and hearing preference to the Court be extended to May 13, 2022.

RESPECTFULLY SUBMITTED this 27th day of April, 2022.

/s/ Chris Muehlberger

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CERTIFICATE OF SERVICE

I certify that the foregoing Complainant's Motion for Extension of Time to Provide Information in Response to Order on Complainant's Motion for Accelerated Decision and Respondents' Additional Requests for Discovery, Docket No. CWA-07-2019-0262, has been submitted electronically using the OALJ E-Filing System.

A copy was sent by email to:

Nathan Pierce, Owner, Adamas Construction and Development Services PLLC:

Nathan Pierce
Email: adamas.mt.406@gmail.com

Date: 4/27/2022

/s/ Chris Muehlberger

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