

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

**Status Report and Motion to Extend Stay of  
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”) conferred and intend to pursue a negotiated resolution to this matter. On March 14, 2022, the Presiding Officer issued an Order Staying Consideration of the Motion for Default (“Order”) for a period of 30 days to allow the Parties to engage in settlement discussions. The Order directed Complainant to file a status report at the close of the 30-day period indicating whether additional time to pursue settlement discussions is warranted.

Since the Order, Complainant and Respondent have corresponded and Complainant’s understanding is that Respondent remains interested in pursuing a negotiated resolution of the matter. Respondent recently retained counsel to represent it in this matter and additional time is needed for Respondent’s counsel to review the facts and filings and for the Parties to schedule and hold additional settlement discussions. Accordingly, Complainant moves for an additional

60-day stay of the Presiding Officer's consideration of the Motion for Default. Complainant conferred with Respondent's counsel who represented that Respondent supports this Motion.

There is good cause to grant this Motion because it will provide the additional time for the Parties to continue discussing a negotiated settlement which, if achieved, would avoid the need to litigate the matter. Furthermore, litigation may impair the Parties' ability to engage in frank and productive settlement discussions. Thus, the relief requested in this Motion may facilitate resolution of the matter and preserve the resources of the Presiding Officer as well as of the Parties.

Respectfully submitted,

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