

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)
)
GREENBUILD DESIGN &) Docket No. TSCA-10-2021-0006
CONSTRUCTION, LLC,)
) **COMPLAINANT’S MOTION FOR**
) **ACCELERATED DECISION AS TO**
Anchorage, Alaska,) **LIABILITY**
)
)
Respondent.)
_____)

MOTION FOR ACCELERATED DECISION AS TO LIABILITY

COMES NOW, the U.S. Environmental Protection Agency, Region 10 (“Complainant”), pursuant to 40 C.F.R. §§ 22.16(a) and 22.20(a) and this Court’s February 3, 2021 Prehearing Order, to respectfully request that this Court grant an accelerated decision in favor of Complainant and find GreenBuild Design & Construction, LLC (“Respondent”) liable for each of the four violations alleged in the Complaint. *See* Complaint, Counts 1-4. As further elaborated upon in the attached Memorandum in Support of Complainant’s Motion for Accelerated Decision, the record, taken as a whole and viewed in the light most favorable to Respondent, shows that there is no genuine issue as to any material fact and Complainant is entitled to judgment as a matter of law. 40 C.F.R. § 22.20(a). Therefore, the granting of this motion for accelerated decision is warranted.

Respectfully submitted,

Andrew Futerman,
Counsel for Complainant
EPA Region 10

In the Matter of *GreenBuild Design & Construction, LLC*, Respondent.
Docket No. TSCA-10-2021-0006

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Complainant's Motion for Accelerated Decision as to Liability**, dated June 23, 2021 was served on the following parties in the manner indicated below:

Original by OALJ E-Filing System to:
Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1200 Pennsylvania Avenue, NW
Washington DC 20004

Copy by Electronic Mail to:
Mr. and Mrs. Rodrigo and Kari von Marees
rad@greenbuild.us.com
kad@greenbuild.us.com
For Respondent

Dated: June 23, 2021
Seattle, Washington

Respectfully submitted,

Andrew Futerman,
Counsel for Complainant
EPA Region 10