

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 ) LEAVE TO AMEND THE  
) COMPLAINT  
)  
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 FILE REBUTTAL  
PREHEARING EXCHANGE

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 File Rebuttal Prehearing Exchange.

1. Complainant requests a short extension of time to January 10, 2020, to file its Rebuttal Prehearing Exchange. The October 18, 2019, Prehearing Order requires Complainant to submit its Rebuttal Prehearing Exchange by January 3, 2020.

2. Due to the holidays and work schedule of undersigned counsel, Complainant requests one additional week to file its Rebuttal Prehearing Exchange.

3. Complainant conferred with Respondents' counsel by e-mail. Respondents' counsel did not respond. The email correspondence is attached to this motion.

4. This short extension of time will not prejudice either party.

RESPECTFULLY SUBMITTED this 19<sup>th</sup> day of December 2019.

/s/ Sara Hertz Wu

Sara Hertz Wu, Senior Counsel

Elizabeth Huston, Senior Counsel

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CERTIFICATE OF SERVICE

I certify that the foregoing Complainant's Motion to Amend the Complaint, Docket No. CWA-07-2019-0262, has been submitted electronically using the OALJ E-Filing System.

A copy was sent by email and postal mail to:

Attorney for Respondents Adamas Construction and Development Services PLLC and Nathan Pierce:

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Date: 12/19/2019

/s Sara Hertz Wu \_\_\_\_\_

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