



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)
)
Adamas Construction and Development Services,)
PLLC and Nathan Pierce,) Docket No. CWA-07-2019-0262
)
Respondents.)

ORDER ON COMPLAINANT’S MOTION FOR EXTENSION OF TIME

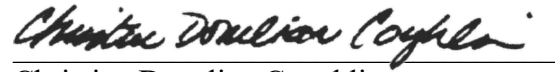
This proceeding was initiated on September 6, 2019, when the Director of the Enforcement and Compliance Assurance Division at the United States Environmental Protection Agency, Region 7 (“Complainant”), filed a Complaint and Notice of Opportunity for Hearing against Adamas Construction and Development Services, PLLC, and Nathan Pierce (“Respondents”), pursuant to Section 309(g) of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act, 33 U.S.C. § 1319(g). On April 20, 2022, I issued an Order on Complainant’s Motion for Accelerated Decision and Respondents’ Requests for Dismissal and Additional Discovery. Therein, I advised the parties that a hearing in this matter will be held to take evidence and argument over six days in either July, August, September, or October of 2022. I then ordered each party to file on or before April 29, 2022, a statement identifying any periods of unavailability for a hearing during that timeframe and stating any preference as to whether the hearing be held over videoconference or in person.

On April 27, 2022, Complainant filed a 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 (“Motion for Extension of Time”). Therein, Complainant requests an additional two weeks, or until May 13, 2022, to file the above-described statement in order to afford time to ascertain the availability of potential witnesses and to enable attorneys newly assigned to this matter to review case materials. Complainant represents that Respondents do not object to this request.

This proceeding is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Rules of Practice”), set forth at 40 C.F.R. Part 22. The Rules of Practice allow the Presiding Officer to “grant an extension of time for filing any document: upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties.” 40 C.F.R. § 22.7(b). Here, Complainant’s Motion for Extension of Time was timely, demonstrates good cause, and is not prejudicial. Indeed, Respondents do not object to it. Accordingly, the Motion for Extension of Time is hereby **GRANTED**. Both parties shall now

file a statement identifying any periods of unavailability for the hearing and a preference for the manner in which the hearing is held on or before **May 13, 2022**.

SO ORDERED.




Christine Donelian Coughlin
Administrative Law Judge

Date: April 28, 2022
Washington, D.C.

In the Matter of Adamas Construction and Development Services, PLLC and Nathan Pierce,
Respondents
Docket No. CWA-07-2019-0262

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Complainant's Motion for Extension of Time**, dated April 28, 2022, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.



Mary Angeles
Paralegal Specialist

Original by OALJ E-Filing System to:
U.S. Environmental Protection Agency
Office of Administrative Law Judges
https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf

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Dated: April 28, 2022
Washington, D.C.