

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

IN THE MATTER OF )  
)  
) Docket No. CWA-07-2022-0134  
Evergreen Development, Inc. )  
)  
and ) PROOF OF SERVICE  
)  
)  
Mark Schmidt, )  
)  
Respondents )  
)  
Proceedings under Section 309(g) of the )  
Clean Water Act, 33 U.S.C. § 1319(g) )  
\_\_\_\_\_ )

A Complaint and Notice of Opportunity for Hearing (“Complaint”) was filed in this matter on September 28, 2022. A copy of the Complaint and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation / Termination or Suspension of Permits, 40 C.F.R. Part 22, were personally served on Mr. Mark Schmidt as Respondent and as Respondent Evergreen Development’s Registered Agent on October 13, 2022. A copy of the process service return is attached to this filing.

RESPECTFULLY SUBMITTED this 20th day of October, 2022.

SHANE  
MCCOIN

Digitally signed by  
SHANE MCCOIN  
Date: 2022.10.20  
14:12:40 -05'00'

Shane E.C. McCoin  
Assistant Regional Counsel

LANCASTER COUNTY SHERIFF'S OFFICE

Lincoln, Nebraska 68508

Process Service Return

Of Sheriff's Paper # 211595 to US EPA County Court

Document No: 999999999999

Case No: CWA07 202242

Received	Returned	Service and Return	\$ 35.00
10/13/2022	10/14/2022	Copy	
		Mileage	
		Miscellaneous	
		Total Fees	\$ 35.00
Type of Process			
LETTER			
Copy of ORDER			
COMPLAINT			
NOTICE			
		Paid by DRENNEN/MICHELE	
		Attorney Code	
		Witness Fee Paid	\$
		Clerk Fee Paid	\$

Plaintiff	Defendant
US EPA	SCHMIDT, MARK

Party Served: MARK SCHMIDT  
8500 LINCOLN ST CHENEY NE  
Service Type: PERSONAL  
Service Date: 10/13/2022 , 1734 By: T CASTANEDA

I hereby certify that at the time and in the manner herein stated, I served the within writ, together with copies shown, on the herein named party(s) a true and certified copy thereof with all endorsements there on, or returned said writ unserved in the prescribed manner.  
All done in Lancaster County, Nebraska, as required by law.

TERRY T. WAGNER, Sheriff  
By /s/TAYLOR CASTANEDA

CERTIFICATE OF SERVICE

I certify that on the date indicated below, I delivered this Proof of Service to the Regional Hearing Clerk, United States Environmental Protection Agency, by electronic mail to: R7\_Hearing\_Clerk\_Filings@epa.gov.

I further certify that on the date noted below I sent by first class mail a true and correct copy of the Proof of Service to the Respondents:

Mark Schmidt  
Respondent and Registered Agent  
Evergreen Development, Inc.  
8500 Lincoln Street  
Lincoln, Nebraska 68526.

SHANE  
MCCOIN

Digitally signed by  
SHANE MCCOIN  
Date: 2022.10.20  
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Signature