

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS**

**BEFORE THE ADMINISTRATOR**

**IN THE MATTER OF**

**CLEARWATER USA, INC.**

**Respondent.**

**Proceedings under Section 309(g) of the  
Clean Water Act, 33 U.S.C. § 1319(g)**

**Docket No. CWA-07-2023-  
0028**

**UNOPPOSED MOTION  
FOR EXTENSION OF  
TIME TO FILE ANSWER**

Respondent Clearwater USA, Inc. ("Clearwater"), pursuant to 40 C.F.R. § 22.7, respectfully requests an extension by and through August 18, 2023, to file its answer to the Complaint. In support of its Unopposed Motion for Extension of Time to File Answer, Clearwater states:

1. On June 22, 2023, Administrative Law Judge Christine Donelian Coughlin issued an Order for Respondent to File Answer ("Order"). The Order required that Respondent file an Answer that complies with the Rules of Practice no later than July 21, 2023.

2. The undersigned, counsel for Clearwater, received the Order on July 12, 2023, from Catherine Chiccine, Assistant Regional Counsel, after the undersigned and Ms. Chiccine had discussed potential ways to resolve the above-captioned matter.

3. Clearwater, through the undersigned, and the U.S. Environmental Protection Agency (“EPA”), through Ms. Chiccine, have been and continue to be in active negotiations concerning this matter.

4. The parties had hoped to reach a resolution prior to July 21, 2023, and thereby obviate the need for Clearwater to file an Answer, but the parties will be unable to conclude a resolution by July 21, 2023, due to previously planned travel.

5. The principal of Clearwater just recently returned from vacation which has impacted Clearwater’s ability to assemble information needed by the EPA to evaluate a proposed resolution. And, Ms. Chiccine will be out of the country from July 22 through August 2, 2023.

6. As such, to facilitate the parties’ ongoing negotiations and avoid the expense of preparing and filing an Answer on or before July 21, 2023, Clearwater respectfully requests an extension through and including August 18, 2023, to file its Answer to the Complaint.

7. Granting this extension will facilitate the parties’ ability to continue negotiations with the goal of amicably concluding this matter without the need for additional proceedings.

8. The undersigned has conferred with Ms. Chiccine regarding the requested extension of time, and the EPA does not oppose the requested extension.

WHEREFORE, Respondent Clearwater USA, Inc. respectfully requests an order extending the time by which Respondent must file its answer to the complaint to and including August 18, 2023.

Respectfully submitted,

DUGGAN SHADWICK DOERR & KURLBAUM LLC

By: 

Deron A. Anliker, KS # 16877  
9101 W. 110th Street, Suite 200  
Overland Park, Kansas 66210  
danliker@dsdklaw.com  
Tele: (913) 498-3536  
Fax: (913) 498-3538  
*Attorneys for Clearwater USA, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing **Unopposed Motion for Extension of Time to File Answer** was served on July 18, 2023, to the following parties in the manner indicated below.

Original by OALJ E-Filing System

U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Administrative Law Judge Christine Donelian Coughlin

Copy by Electronic Mail

Catherine R.M. Chiccine  
Assistant Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219  
Email: [Chiccine.catherine@epa.gov](mailto:Chiccine.catherine@epa.gov)

  
\_\_\_\_\_  
Deron A. Anliker  
*Attorney for ABP Funding, LLC*