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

Received by  
EPA Region 7  
Hearing Clerk

IN THE MATTER OF	)	
	)	
Evergreen Development, Inc.	)	
	)	
and	)	Docket No. CWA-07-2022-0134
	)	
Mark Schmidt,	)	
	)	
Respondents.	)	
_____	)	

**ORDER GRANTING SECOND EXTENSION OF TIME**

On November 16, 2022, Karina Borromeo granted Respondent’s Motion for an Extension of Time to Respond to the Administrative Complaint and Notice of Opportunity for Hearing (“Motion for Extension of Time”) until December 16, 2022. On December 13, 2022, Respondent filed a second Motion for Extension of Time for Respondent to File an Answer. On December 19, 2022, I contacted both parties regarding a conference call to discuss the Motion for Second Extension, and Respondent’s lack of service of process, but attempts to discuss the matter with both parties were unsuccessful. However, the Complainant does not oppose this extension.

For good cause shown, Respondent’s request for extension of time is hereby GRANTED. It is therefore ORDERED that Respondents shall file their answer on or before January 20, 2023. Additional requests for extension of time will not be granted absent extraordinary circumstances. Respondent is reminded that pursuant to Rule §22.5 of the Consolidated Rule of Practice, 40 C.F.R. §22.5, a “copy of each document filed in the proceeding shall be served on the Presiding Officer and on each party.” Respondent needs to adhere to service of process requirements going forward.

Crystal Johnson  
Regional Judicial Officer