



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

In the Matter of:)
)
Clearwater USA Inc.,) **Docket No. CWA-07-2023-0028**
)
Respondent.)

ORDER ON RESPONDENT’S MOTION FOR EXTENSION OF TIME

This proceeding was initiated on April 11, 2023, when Complainant, the Director of the Enforcement and Compliance Assurance Division at the U.S. Environmental Protection Agency, Region 7, filed a Complaint and Notice of Opportunity for Hearing (“Complaint”) against Respondent Clearwater USA, Inc., for alleged violations of Section 402(p) of the Clean Water Act, 33 U.S.C. § 1342(p).

In response, Respondent’s non-attorney representative submitted an email objecting to the Complaint that did not meet the requirements for an Answer as specified in the rules governing this proceeding at 40 C.F.R. Part 22. Thereafter, I ordered Respondent to file an Answer that complies with the rules by July 21, 2023. *See* Order for Resp’t to File Answer (June 22, 2023).

On July 18, 2023, after obtaining legal representation, Respondent filed a motion for an extension of time to file its Answer. *See* Resp’t’s Unopposed Mot. for Extension of Time (“Motion”). In the Motion, Respondent states it is in active settlement negotiations with the Agency and hopes to conclude this matter without the need for further proceedings. Because of previously planned travel by the parties and counsel, Respondent asks that its deadline for filing an Answer be extended to August 18, 2023. According to Respondent, the Agency does not oppose the requested extension. Mot. at 1-2.

This Tribunal “may 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; or upon its own initiative.” 40 C.F.R. § 22.7(b). I find that Respondent’s request meets these requirements.

Accordingly, the Motion is **GRANTED**. Respondent’s deadline for filing an Answer that complies with 40 C.F.R. Part 22 is extended through **August 18, 2023**.

SO ORDERED.

Christine Donelian Coughlin

Christine Donelian Coughlin
Administrative Law Judge

Dated: July 19, 2023
Washington, D.C.

In the Matter of *Clearwater USA, Inc.*, Respondent.
Docket No. CWA-07-2023-0028

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Respondent's Motion for Extension of Time**, dated July 19, 2023, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.



Matt Barnwell
Attorney Advisor

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: July 19, 2023
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