



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

<b>In the Matter of:</b>	)	
	)	
<b>State of Alaska Department of</b>	)	<b>Docket No. CWA-10-2024-0154</b>
<b>Transportation and Public Facilities,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER ON COMPLAINANT’S MOTION  
FOR ADDITIONAL EXTENSIONS TO DEADLINES**

On March 3, 2025, the parties filed timely cross motions for accelerated decision. *See* Complainant’s Mot. for Accelerated Decision; Resp’t’s Mot. for Accelerated Decision. Following multiple requests for extensions of time, I set deadlines for filing responses to the pending motions for September 2, 2025, and replies for September 23, 2025. *See* Order on Complainant’s Second Unopposed Mot. for Additional Extension of Time (May 28, 2025).

On August 27, 2025, the Agency requested a 60-day extension to these briefing deadlines. *See* Complainant’s Mot. for Additional Extensions to Deadlines to File Resps. and Replies to Mots. for Accelerated Decision (“Motion for Extension of Time”). As in its past motions, the Agency asserts more time is needed because it is reconsidering its implementation of the Clean Water Act, and counsel needs to brief new administration officials about impacts to this case. According to the Agency, one of these new political appointees, the Principal Deputy Assistant Administrator and acting Assistant Administrator for the Office of Enforcement and Compliance Assurance, arrived in his position just 10 days ago. Mot. for Extension of Time at 3-4.

Although Respondent agreed to previous extensions of filing deadlines, the Agency states that Respondent opposes the pending Motion for Extension of Time. Mot. for Extension of Time at 5.

Under the rules governing this proceeding, 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. Further, the rules require that “[a]ny motion for an extension of time shall be filed sufficiently in advance of the due date so as to allow other parties reasonable opportunity to respond and to allow the Presiding Officer . . . reasonable opportunity to issue an order.” 40 C.F.R. § 22.7(b). Parties generally have 15 days to respond to a motion after it is served unless a shorter or longer time is set by the presiding officer. 40 C.F.R. § 22.16(b). Here, the Agency’s Motion for Extension of Time was filed just five days before the deadline it asks to extend,

leaving insufficient time for Respondent to explain its opposition to another lengthy delay.

Accordingly, the Motion for Extension of Time is **GRANTED** in part and **DENIED** in part.

Respondent shall have through **September 5, 2025**, to file a response to the Agency's Motion for Extension of Time.

The deadline for Response Briefs to the cross motions for accelerated decision is extended through **September 12, 2025**, and the deadline for Reply Briefs is extended through **October 3, 2025**. I will determine whether to extend the deadlines further after Respondent files its response to the Motion for Extension of Time.

**SO ORDERED.**

A handwritten signature in black ink, appearing to read 'Michael B. Wright', is written over a horizontal line.

Michael B. Wright  
Chief Administrative Law Judge

Dated: August 28, 2025  
Washington, D.C.

In the Matter of *State of Alaska Department of Transportation and Public Facilities*,  
Respondent.

Docket No. CWA-10-2024-0154

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order on Complainant's Motion for Additional Extensions to Deadlines**, dated August 28, 2025, and issued by Chief Administrative Law Judge Michael B. Wright, was sent this day to the following parties in the manner indicated below.



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Attorney Advisor

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*Counsel for Respondent*

Dated: August 28, 2025

Washington, D.C.