



**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re Harvest Four Corners, LLC

Permit No. R6FOP-NM-04-R3-2023

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)
) CAA Appeal No. 24-09
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)
)

ORDER GRANTING JOINT MOTION TO EXTEND ABEYANCE

Harvest Four Corners, LLC petitioned for review of a Clean Air Act Title V operating permit issued to Harvest by Region 6 of the U.S. Environmental Protection Agency. The matter is fully briefed and was scheduled for oral argument on November 21, 2024. On November 13, 2024, the parties filed a Joint Motion for Abeyance indicating that they had initiated settlement discussions and requesting that the case be held in abeyance to allow those discussions to proceed. The Board granted the motion on November 15, 2024, cancelled oral argument, and required the parties to file a joint status report by February 13, 2025, notifying the Board of the status of settlement discussions.

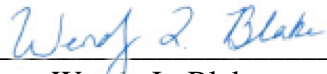
On February 13, 2025, the parties filed a Joint Status Report and Motion to Extend Abeyance, stating that the parties have met to discuss the issues raised in the petition and that discussions remain ongoing but additional time is needed to negotiate a resolution. Joint Status Report and Motion to Extend Abeyance, at 1-2 (Feb. 13, 2025). The parties further agreed to provide a status report within ninety days of an order extending the abeyance and stated that they believe that extending the abeyance would facilitate ongoing settlement discussions and conserve the Board's and parties' resources. *Id.* at 2.

Based upon the representations of the parties and in accordance with 40 C.F.R. § 124.19(n), the Board hereby **GRANTS** the Motion and continues to hold the case in abeyance. On or before **Monday, May 19, 2025**, the parties shall file a Joint Status Report notifying the Board of the status of settlement discussions. If the parties have not reached a resolution of the matter by that time, the parties shall include in the Joint Status Report proposed dates for oral argument.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: February 18, 2025

By: 
Wendy L. Blake
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting Joint Motion to Extend Abeyance* in the matter of Harvest Four Corners, LLC, CAA Appeal No. 24-09, were sent to the following persons in the manner indicated:

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Dated: Feb 18, 2025

Tommie Madison

Tommie Madison
Clerk of the Board