

**BEFORE THE 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

**JOINT MOTION FOR ABEYANCE**

Permittee Harvest Four Corners, LLC (“Harvest”) and Region 6 of the United States Environmental Protection Agency (“EPA”) (the “Parties”), by and through their undersigned attorneys, respectfully request that the above-captioned appeal be held in abeyance and oral argument, currently scheduled for November 21, 2024, be postponed pending the outcome of settlement negotiations initiated on November 12, 2024. In support of this Motion, the Parties state the following:

1. On November 12, 2024, EPA reached out to counsel for Harvest to discuss potential resolution of this appeal. Harvest agreed to engaged in further discussion with EPA. The Parties intend to continue settlement discussions in the coming weeks.
2. Abeyance will facilitate these ongoing discussions and will conserve the resources of both the Parties and the Board.
3. The Parties agree to provide a status update to the EAB within 90 days after an order granting abeyance is issued.

WHEREFORE, the Parties respectfully request the EAB grant this Motion and hold this case in abeyance and postpone oral argument indefinitely pending discussions.

Respectfully submitted,

/s/Aaron B. Tucker

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*Attorneys for U.S. Environmental Protection Agency*

DATE: November 13, 2024

## **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of Harvest Four Corners LLC's and the Environmental Protection Agency's Joint Motion for Abeyance were served by electronic filing and electronic mail to the following persons, the 13th day of November, 2024:

Emilio Cortes  
U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460  
*Via EAB eFiling System*

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