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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

22 DEC -7 AM 10: 25

REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of:)	Docket No. CWA-06-2023-1704
)	
City or Rio Rancho)	Proceeding to Assess a Class II
A New Mexico municipality,)	Civil Penalty under Section 309(g)
Respondent)	of the Clean Water Act
)	
NPDES Permit No. NM0027987)	

**RESPONDENT CITY OF RIO RANCHO, NEW MEXICO'S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER**

Respondent City of Rio Rancho, New Mexico ("Rio Rancho"), pursuant to 40 CFR § 22.16, moves the Presiding Officer for an extension of time from December 8, 2022 until February 6, 2023 to file its answer to the Administrative Complaint. Counsel for EPA Region 6 has been contacted and agreed to the extension. As grounds for the motion, Rio Rancho states:

1. On November 2, 2022, EPA Region 6 filed the Administrative Complaint in this matter, proposing to assess a Class II civil penalty under Section 309(g) of the federal Clean Water Act for alleged violations of NPDES Permit No. NM0027987.
2. Rio Rancho received the Administrative Complaint on November 8, 2022.
3. Pursuant to 40 CFR § 2215(a), Rio Rancho's answer to the complaint must be filed by December 8, 2022.
4. Since receiving the Administrative Complaint, Rio Rancho has engaged EPA Region 6 in discussions to settle the penalty assessment without hearing. Based on those discussions, the parties agree that they need additional time to complete those discussions and determine whether further proceedings in this matter are necessary. The parties agree that given the holidays, an additional sixty (60) days is a reasonable period to complete those discussions.

WHEREFORE, Respondent Rio Rancho requests an extension of time until February 6, 2023 to file its Answer to the Administrative Complaint.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/Louis W. Rose

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CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2022, a true copy of the foregoing *Respondent City of Rio Rancho, New Mexico's Unopposed Motion for Extension of Time to File an Answer* was served via electronic mail to the following:

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