

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATIVE LAW JUDGES**

In the Matter of)	
)	
Spartan Diesel Technologies, LLC,)	Docket No. CAA-HQ-2017-8362
)	
Respondent)	Issued: September 17, 2018

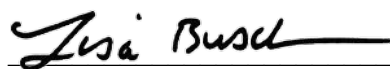
ORDER ON MOTION TO EXTEND TIME FOR COMPLAINANT TO FILE ORDERED DOCUMENTS AND MATERIALS

The Order on Motion for Default issued in this proceeding set a September 18, 2018 deadline for Complainant to file documentation and an explanation supporting its calculation of the proposed civil penalty. On September 17, 2018, Complainant filed a Motion to Extend Time for Complainant to File Ordered Documents and Materials (“Motion”) by ten days, until September 28, 2018. Grounds stated in the Motion are that Complainant needs to procure and review information stored in two databases, including a legacy database of the EPA, and prepare and review a highly technical declaration by an EPA contractor, all of which it is unable to complete by the due date. In the Motion, Complainant represents that the Respondent will not be prejudiced by this short extension of time. Respondent has not filed a response to the Motion and no response is required.

The Rules of Practice governing this proceeding, 40 C.F.R. Part 22, provide at 40 C.F.R. § 22.7(b) that “the Presiding Officer 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.” A ten-day extension of time is reasonable and will not prejudice Respondent who has not filed an answer in this case.

For good cause show, Complainant’s Motion is hereby **GRANTED**. Complainant shall file the documents and explanation called for in section VI. 3 of the September 7, 2018, Order on Motion for Default on or before September 28, 2018.

SO ORDERED.



M. Lisa Buschmann
Administrative Law Judge

In the Matter of *Spartan Diesel Technologies, LLC*, Respondent.
Docket No. CAA-HQ-2017-8362

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Motion to Extend Time for Complainant to File Ordered Documents and Materials**, dated September 17, 2018, and issued by Administrative Law Judge M. Lisa Buschmann, was sent this day to the following parties in the manner indicated below.



Mary Angeles
Paralegal Specialist

Original and One Copy by Personal Delivery to:

Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
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Washington, DC 20004

Copy by Electronic and Regular Mail to:

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For Complainant

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For Respondent

Dated: September 17, 2018
Washington, D.C.