

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

IN THE MATTER OF)	
)	Second Status Report
R.H. Capital-Beets, LLC)	
)	Docket No. CWA-07-2023-0067
Respondents)	
)	
Proceedings under Section 311(b) of)	
the Clean Water Act, 33 U.S.C. § 1321(b))	
_____)	

STATUS REPORT

Complainant U.S. Environmental Protection Agency (“EPA”) hereby respectfully submits the following Status Report.

1. On or about May 8, 2024, Complainant filed a Motion for Extension of Time to file Complainant’s Initial Prehearing Exchange.
2. This Court granted Complainant’s Motion and the Order on Complainant’s Motion for Extension of Time required Complainant to file a Status Report on or before May 31, 2024.
3. Complainant and Respondent have continued to engage in ability to pay discussions. Respondent provided requested financial information on April 5, 2024, and May 29, 2024. Complainant has procured a third-party contractor with financial expertise, Industrial Economics Incorporated, to conduct the ability to pay analysis.

Complainant does not anticipate the need for an additional extension of time to file its Initial Prehearing exchange, but this will likely depend on the adequacy of the Respondent’s provision of financial information.

RESPECTFULLY SUBMITTED.

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CERTIFICATE OF SERVICE

I hereby certify that on date below, I filed via OALJ E-filing system the original and one copy of this Motion for Extension of Time with the Headquarters Hearing Clerk.

I further certify that on the date below, I served a copy of the Motion for Extension of Time to each party by electronic mail to:

Troy Renkenmeyer and Tom Heckman
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