

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF:)	
)	
United States Department of the Army,)	
)	
Respondent.)	Docket No.
)	CERCLA-08-2020-0001
Rocky Mountain Arsenal)	
Commerce City, CO,)	
)	
Facility.)	
)	

JOINT STATUS REPORT REGARDING SETTLEMENT AND MOTION TO EXTEND THE
STAY OF THE PROCEEDINGS

On November 30, 2023, the Presiding Officer issued an Order granting a fifth stay, until February 2, 2024, in the above-captioned proceeding. As reported during the previous stays in this matter, the public comment period on the Consent Decree Amendment (CDA), which would fully resolve this proceeding, was completed, and no comments were received. DOJ filed a Motion to Enter the CDA on November 9, 2023. The Parties are now waiting for the District Court to act on the Motion. To date, the District Court has not acted on the Motion to Enter and therefore the Parties believe that an extension of the existing stay is appropriate.

Pursuant to 40 C.F.R. § 22.16 and the Prehearing Order, and in the interest of judicial economy and the conservation of scarce government resources, the Parties, jointly request an extension of the stay of the proceeding until the District Court acts on the CDA, upon which time the Parties will notify the Presiding Officer. In the alternative, the Parties request an extension of the stay until May 3, 2024. The further stay of this proceeding will give the District Court

additional time to act on the Motion to Enter the CDA. Upon entry of the CDA, Complainant intends to withdraw this matter as moot.

Respectfully submitted,

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CERTIFICATION

I certify that a copy of the foregoing Joint Status Report Regarding Settlement and Motion to Extend the Stay of the Proceedings Docket No. CERCLA-08-2020-0001 has been filed via the OALJ E-filing system constituting service on the Presiding Officer and sent via email to the following Counsel for Respondent:

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