

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

<b>In re</b>	)	
	)	
<b>AMVAC Chemical Corporation</b>	)	<b>Appeal No. Pending</b>
	)	
<b>Docket No. FIFRA-HQ-2022-02</b>	)	
	)	

**JOINT MOTION TO EXTEND DEADLINE  
TO FILE EXCEPTIONS AND APPEAL BRIEF**

Parties to the above captioned Office of Administrative Law Judges matter, Respondent, the Office of Chemical Safety and Pollution Prevention, Office of Pesticide Programs, of the U.S. Environmental Protection Agency; Petitioner AMVAC Chemical Corporation; and Petitioners the Grower-Shipper Association of Central California, J&D Product, Ratto Bros., Inc., and Huntington Farms; jointly ask that the Environmental Appeals Board extend the deadline for filing exceptions and an appeal brief with EAB in connection with the May 16, 2023 Initial Decision and Order issued by the Administrative Law Judge in Docket No. FIFRA-HQ-2022-0002.

The Parties believe that resolution of the issues addressed in the Initial Decision is possible and are currently pursuing settlement in this matter. Absent an extension, the Parties will be required to divert their time and effort from settlement discussions to a proceeding before the Board. Thus, the Parties request that the timing for filing exceptions and other briefs provided in 40 C.F.R. § 164.101(a) be extended pursuant to the Board’s authority under

40 C.F.R. § 164.6(b) such that any exceptions and appeal briefs shall be required to be filed with the Board by June 23, 2023 instead of the current deadline of June 5, 2023.

No later than June 16, 2023, the Parties shall file a joint report describing the status of settlement discussions, advising whether any further extension of the deadline for appeal is jointly sought and requesting such other relief as the Parties may believe is warranted.

In connection with seeking this relief from the Board, the Parties jointly stipulate pursuant to 40 C.F.R. § 164.103 to extend the 90-day deadline for the EAB to issue its final decision and order, pursuant to that section, by the same number of days as the extension requested in this motion (18).

Dated: May 26, 2022

Respectfully submitted,

/s/ Hume M. Ross (with permission)

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*Central California, et al.)*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Joint Motion to Extend Deadline to File Exceptions and Appeal Brief**, dated May 26, 2023, was sent this day to the following parties in the manner indicated below.

*/s/ Forrest Pittman*

\_\_\_\_\_  
Forrest Pittman  
Attorney Advisor

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Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1200 Pennsylvania Avenue, NW  
Mail Code 1103M  
Washington, DC 20004

Copy by Electronic Mail to:

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Dated May 26, 2023