

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2007 DEC 13 AM 10:52

IN THE MATTER OF: )

Steve R. Becquart )  
d/b/a Steve's Auto Body )

Docket No. SDWA-08-2007-0090

Respondent. )

Proceedings Under Section  
1423(c) of the Safe Drinking  
Water Act, 42 U.S.C. 300h-2(c)

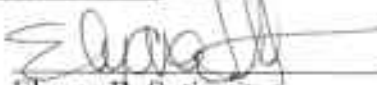
**ORDER GRANTING MOTION TO STAY PROCEEDINGS**

By Motion dated, December 5, 2007, Complainant through its Attorney, James H. Eppers, requested a Motion to Stay the Proceedings to and including January 11, 2008. Respondent concurs in the request for a stay in the matter.

The Complaint was filed on September 21, 2007. An Answer is due 30 days after service of the Complaint. 40 C.F.R. § 22.15. Neither an Answer nor a Motion for Extension of Time to File an Answer was filed within 30 days of the filing of the Complaint. Pursuant to 40 C.F.R. § 22.17(b), "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; or upon its own initiative." Based on the record before me there is no indication of good cause for this error. The Motion to Stay Proceedings is, in essence, a Motion for Extension of Time. Despite the lack of timely motion, the parties request a stay of the proceedings because a settlement in principle has been reached.

This court will grant the Motion to Stay Proceedings to and including January 11, 2008. However, it should be noted by both parties that no further extensions will be granted in this matter given the disregard for following the Consolidated Rules of Practice that govern this proceeding.

SO ORDERED This 12<sup>th</sup> Day of December, 2007

  
Elyana R. Sutin  
Regional Judicial Officer

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER GRANTING MOTION TO STAY** in the matter of **STEVEN R. BECQUART d/b/a STEVE'S AUTO BODY; DOCKET NO.: SDWA-08-2007-0090** was filed with the Regional Hearing Clerk on December 13, 2007.

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Further, the undersigned certifies that a true and correct copy of the document was delivered to James H. Eppers, Senior Enforcement Attorney, U.S. EPA - Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt on December 13, 2007 to:

Steven R. Becquart  
d/b/a Steve's Auto Body  
1648 U. S. Hwy. 2N  
Troy, MT 59935-9702

December 13, 2007



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Tina Artemis  
Paralegal/Regional Hearing Clerk