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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY REGION 6

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REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of:)	Docket No. CWA-06-2023-1704
)	
City or Rio Rancho)	Proceeding to Assess a Class II
A New Mexico municipality,)	Civil Penalty under Section 309(g)
Respondent)	of the Clean Water Act
)	
NPDES Permit No. NM0027987)	

**RESPONDENT CITY OF RIO RANCHO, NEW MEXICO'S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER**

Respondent City of Rio Rancho, New Mexico ("Rio Rancho"), pursuant to 40 CFR § 22.16, moves the Presiding Officer for an extension of time from December 8, 2022 until February 6, 2023 to file its answer to the Administrative Complaint. Counsel for EPA Region 6 has been contacted and agreed to the extension. As grounds for the motion, Rio Rancho states:

1. On November 2, 2022, EPA Region 6 filed the Administrative Complaint in this matter, proposing to assess a Class II civil penalty under Section 309(g) of the federal Clean Water Act for alleged violations of NPDES Permit No. NM0027987.
2. Rio Rancho received the Administrative Complaint on November 8, 2022.
3. Pursuant to 40 CFR § 2215(a). Rio Rancho's answer to the complaint must be filed by December 8, 2022.
4. Since receiving the Administrative Complaint, Rio Rancho has engaged EPA Region 6 in discussions to settle the penalty assessment without hearing. Based on those discussions, the parties agree that they need additional time to complete those discussions and determine whether further proceedings in this matter are necessary. The parties agree that given the holidays, an additional sixty (60) days is a reasonable period to complete those discussions.

WHEREFORE, Respondent Rio Rancho requests an extension of time until February 6, 2023 to file its Answer to the Administrative Complaint.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/Louis W. Rose

Louis W. Rose

Kari E. Olson

Post Office Box 2307

Santa Fe, New Mexico 87504-2307

(505) 982-3873

lrose@montand.com

kolson@montand.com

Joshua Rubin

Rio Rancho Acting City Attorney

3200 Civic Center Circle NE

Rio Rancho, New Mexico 87144

(505) 891-5003

jrubin@rrnm.gov

Attorneys for the City of Rio Rancho

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2022, a true copy of the foregoing *Respondent City of Rio Rancho, New Mexico's Unopposed Motion for Extension of Time to File an Answer* was served via electronic mail to the following:

Lorena Vaughn, Regional Hearing Clerk (6RC-D)
U.S. E.P.A. Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102
vaughn.lorena@epa.gov

Kristine Talbot
US EPA Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102
talbot.kristine@epa.gov

Shelly Lemon
Bureau Chief
Surface Water Quality Bureau
Resource Protection Division
New Mexico Environment Department
P.O. Box 5469
Santa Fe, NM 87502-5469
shelly.lemon@state.nm.us

By: /s/ Louis W. Rose