



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Kirk Wilson,) Docket No. CWA-10-2020-0181
)
Respondent.)

**ORDER ON JOINT MOTION FOR AN EXTENSION OF TIME
TO FILING DEADLINES**

Prehearing submission deadlines were established by Prehearing Order dated December 31, 2020. On February 1, 2021, the parties filed a Joint Motion for an Extension of Time to Filing Deadlines (“Joint Motion”). As grounds for the Joint Motion, the parties believe that a ruling on the issues raised in Respondent’s “Motion to Dismiss for Failure to State A Complaint and/or a Motion for Summary Judgement” and Complainant’s subsequent Motion to Strike may impact the issues to be addressed during the prehearing information exchange. Jt. Mot. at 2. The Joint Motion further states that Respondent recently asserted the inability to pay an administrative civil penalty and intends to submit supporting documentation that the Complainant must evaluate in its determination of an appropriate penalty. Jt. Mot. at 2. Finally, the parties represent in the Joint Motion that they have made significant progress toward settlement and they request the opportunity to continue devote their time and efforts toward reaching a negotiated settlement. Jt. Mot. at 2–3.

Under the Consolidated Rules of Practice governing this proceeding, set forth at 40 C.F.R. Part 22, the presiding officer is empowered to “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[.]” 40 C.F.R. § 22.7(b). Upon consideration of the grounds stated in the Joint Motion, I find there is good cause to allow the requested extension of time, and I find that neither party will be prejudiced by granting this request. Consequently, the Joint Motion is **GRANTED**.

The deadlines for the prehearing exchange of information established in the December 31, 2020 Prehearing Order shall be filed and served on or before the following deadlines:

- April 30, 2021** Complainant’s Initial Prehearing Exchange
- May 21, 2021** Respondent’s Prehearing Exchange
- June 3, 2021** Complainant’s Rebuttal Prehearing Exchange

Any remaining deadlines set by the Prehearing Order, such as that for filing a joint

motion for the appointment of a neutral, are extended accordingly.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Biro', is written over a horizontal line.

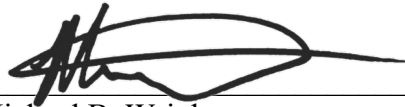
Susan L. Biro
Chief Administrative Law Judge

Dated: February 10, 2021
Washington, D.C.

In the Matter of *Kirk Wilson*, Respondent.
Docket No. CWA-10-2020-0181

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Joint Motion for an Extension of Time to Filing Deadlines**, dated February 10, 2021, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



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Attorney Advisor

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Dated: February 10, 2021
Washington, D.C.