



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Freedom Performance, LLC,) Docket No. CAA-HQ-2019-8362
)
Respondent.)

ORDER ON JOINT MOTION FOR EXTENSION OF TIME

Complainant commenced this proceeding under Section 205(c)(1) of the Clean Air Act, 42 U.S.C. § 7524(c)(1), by filing the Complaint, and effectuating service of the Complaint on Respondent on April 3, 2019.¹ The rules that govern this proceeding, set forth at 40 C.F.R. Part 22 (“Rules of Practice”), provide that an answer must be filed within 30 days after service of a complaint. 40 C.F.R. § 22.15(a). Accordingly, pursuant to the Rules of Practice, the filing deadline for Respondent’s Answer is May 3, 2019.

On April 15, 2019, the parties filed a Joint Motion for Extension of Time for Respondent to Answer Complaint (“Joint Motion”). In the Joint Motion, the parties request that the filing deadline for Respondent’s Answer be extended to June 11, 2019, so that the parties can pursue a negotiated settlement of this matter. Following the Joint Motion, I was designated to preside over this proceeding.

The Rules of Practice authorize the Presiding Officer to grant an extension of time for filing of any document for good cause shown upon motion, after consideration of prejudice to the other parties. 40 C.F.R. § 22.7(b). As the request of the parties to extend the filing deadline for Respondent’s Answer shows good cause and is agreed upon, granting it is appropriate. Accordingly, the Joint Motion is **GRANTED**, and the filing deadline for Respondent’s Answer is hereby extended to **June 11, 2019**.

Susan L. Biro
Chief Administrative Law Judge

Dated: April 19, 2019
Washington, D.C.

¹ The record reflects that Respondent waived service of the Complaint pursuant the methods addressed in 40 C.F.R. § 22.5(b)(1) on April 3, 2019, and instead accepted service of the Complaint by electronic mail on this date.

In the Matter of *Freedom Performance, LLC*, Respondent.
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Joint Motion for Extension of Time**, dated April 19, 2019, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



Andrea Priest
Attorney Advisor

Original and One Copy by Personal Delivery to:

Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
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Copy by Electronic Mail to:

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Copy by Electronic and Regular Mail to:

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Dated: April 19, 2019
Washington, D.C.