



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Keystone Automotive Operations, Inc.,) **Docket No. CAA-03-2021-0058**
)
Respondent.)

ORDER ON JOINT MOTION FOR EXTENSION OF BRIEFING DEADLINES

On July 16, 2021, Complainant U.S. Environmental Protection Agency, Region 3, filed its Motion for Partial Accelerated Decision on Liability and to Strike Affirmative Defenses (“AD Motion”). The current deadline for Respondent Keystone Automotive Operations, Inc., to respond to the AD Motion is August 2, 2021.

On July 22, 2021, the parties filed the Joint Motion for Extension of Briefing Deadlines Regarding Complainant’s Motion for Partial Accelerated Decision (“Joint Motion”). In the Joint Motion, the parties request that the deadline for Respondent’s Response to the AD Motion be moved to September 27, 2021. J. Mot. at 1-2. Further, the parties request that the deadline for Complainant’s Reply in support of the AD Motion be moved to October 29, 2021. J. Mot. at 1-2. As grounds for the Joint Motion, the parties cite the significant statutory and constitutional arguments addressed in the AD Motion and state that “Respondent requires reasonable additional time to digest and respond to the full range of issues[.]” J. Mot. at 2. The parties go on to declare that “[f]or the same reasons, Complainant will require reasonable additional time to review and digest Respondent’s response and to complete a reply submission.” J. Mot. at 2. The parties assert that extending the deadlines will neither cause prejudice to either party, nor delay the proceedings. J. Mot. at 2.

Under the Consolidated Rules of Practice governing this proceeding, set out at 40 C.F.R. Part 22 (“Rules”), a response to a written motion is due within 15 days of service of the motion, and a reply is due within 10 days of service of the response. 40 C.F.R. § 22.16(b). Nonetheless, the Rules also empower the Presiding Officer to set a longer time for the response or reply. *Id.* Moreover, the Rules authorize the Presiding Officer 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[.]” *Id.* § 22.7(b).

I find there is good cause to allow the requested extensions, and that no party will be prejudiced by extending the briefing deadlines. The Joint Motion is **GRANTED**. Respondent’s Response to the AD Motion shall be filed with the Tribunal and served on Complainant no later than **September 27, 2021**. Complainant’s Reply to the Response shall be due no later than **October 29, 2021**.

SO ORDERED.

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

Susan L. Biro
Chief Administrative Law Judge

Dated: July 27, 2021
Washington, D.C.

In the Matter of *Keystone Automotive Operations, Inc.*, Respondent.
Docket No. CAA-03-2021-0058

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Joint Motion for Extension of Briefing Deadlines**, dated July 27, 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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Dated: July 27, 2021
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