

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

IN THE MATTER OF)	
)	
R.H. Capital-Beets, LLC)	Motion for Extension of Time
)	
Respondents)	Docket No. CWA-07-2023-0067
)	
Proceedings under Section 311(b) of)	
the Clean Water Act, 33 U.S.C. § 1321(b))	
_____)	

MOTION FOR EXTENSION OF TIME

Complainant U.S. Environmental Protection Agency (“EPA”) hereby respectfully submits the following Motion for Extension of Time to File Complainant’s Initial Prehearing Exchange.

1. On or about March 11, 2024, this Court Ordered (1) Complainant to file its Initial Prehearing Exchange on April 19, 2024, (2) Respondent to file its Prehearing Exchange on May 10, 2024, and (3) Complainant to file its Rebuttal Prehearing Exchange on May 24, 2024.
2. Complainant and Respondent have engaged in settlement discussions, which discussions are ongoing.
 - a. During the settlement conference on March 20, 2024, Respondent, raised for the first time, an argument about the ability to pay the penalty.
 - b. Following the settlement conference, the Complainant requested documents from the Respondent to support their inability to pay the penalty. Complainant is still waiting for the documents. Respondent agreed to provide the requested documents on or before April 12, 2024.

- c. Complainant requests additional time to complete the analysis and discuss with the Respondent whether this impacts the possibility of settlement.
3. Complainant files this motion to extend the following deadlines:
 - a. Complainant's Initial Prehearing exchange is currently due April 19, 2024.
Complainant requests that this deadline be extended sixty (60) days, to June 18, 2024.
 4. Respondent has indicated it has no Objection to this Motion for Extension of Time.

RESPECTFULLY SUBMITTED this 8th day of April, 2024.

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CERTIFICATE OF SERVICE

I hereby certify that on date below, I filed via OALJ E-filing system the original and one copy of this Motion for Extension of Time with the Headquarters Hearing Clerk.

I further certify that on the date below, I served a copy of the Motion for Extension of Time to each party by electronic mail to:

Troy Renkenmeyer and Tom Heckman
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