

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

COMMUNITY IN-POWER AND
DEVELOPMENT ASSOCIATION INC., et
al.,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, et al.,

Defendants.

AMERICAN CHEMISTRY COUNCIL

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, et al.,

Defendants.

No. 1:23-cv-2715-DLF/1:23-cv-3276-DLF
(consolidated)

Hon. Dabney L. Friedrich

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
ANSWER OR OTHER RESPONSE TO BOTH COMPLAINTS**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 7(m), Defendants U.S. Environmental Protection Agency and Michael Regan, Administrator of the U.S. Environmental Protection Agency, in his official capacity (“Defendants”), respectfully request an extension of time, up to and including October 16, 2024, for Defendants to answer or otherwise respond to both complaints in this consolidated action. Defendants have conferred with both sets of Plaintiffs’ counsel regarding this motion, and no Plaintiff opposes. In support of this motion, Defendants state the following:

1. Plaintiffs Community In-Power and Development and Association Inc. et al. (“CIP

Plaintiffs”) filed a complaint in this matter on September 18, 2023, ECF No. 1, and served the complaint on September 19, 2023.

2. Plaintiff American Chemistry Council (“ACC”) filed a complaint in Case No. 1:23-cv-3276 on December 13, 2023, ECF No. 1, and served the complaint on December 20, 2023.
3. On January 16, 2024, Defendants moved to consolidate the two actions, ECF No. 21, which this Court granted in a January 17, 2024 Minute Order.
4. Pursuant to this Court’s July 11, 2024 Minute Order, Defendants’ response to both complaints is presently due September 16, 2024.
5. The parties reached a tentative settlement on two proposed Consent Decrees, both of which were published on April 26, 2024 for public comment in the Federal Register. 89 Fed. Reg. 32424 (Apr. 26, 2024). The comment period closed on May 28, 2024. Defendants received comments on one of the proposed consent decrees and closely reviewed those comments. Defendants are working to secure internal approvals so that it may move to enter both of the consent decrees.
6. Defendants respectfully request the extension to allow sufficient time for this process.
7. An extension serves the interests of administrative efficiency and would conserve judicial resources as a settlement may expedite a global resolution of these consolidated actions without further litigation.
8. Based on the foregoing, Defendants respectfully request that the Court grant Defendants an enlargement of time, up to and including October 16, 2024, to answer or otherwise respond to both the CIP complaint and the ACC complaint. A proposed order is attached.

Dated: September 12, 2024

Respectfully submitted,

/s/ Sarah Izfar

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