



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

MEMO ENDORSED

November 22, 2023

By ECF

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

The request to extend, until November 29, 2023, the deadline to submit the joint letter or pre-motion conference request is granted. SO ORDERED.

Edgardo Ramos, U.S.D.J.
Dated: November 27, 2023
New York, New York

Re: *NRDC v. EPA*, No. 16 Civ. 1251 (ER)

Dear Judge Ramos:

This Office represents defendant U.S. Environmental Protection Agency (“EPA” or the “Government”) in this action arising out of plaintiff Natural Resources Defense Council’s (“NRDC”) challenge to certain perchlorate-related regulatory actions taken by EPA. By endorsed order dated September 11, 2023 [ECF No. 98], this Court granted the parties’ request to submit, by November 27, 2023, an estimated timeline for obtaining final approvals within the Government for a proposed stipulation and order to amend the Consent Decree with new timelines for EPA to propose and finalize a maximum contaminant level goal and national primary drinking water regulation for perchlorate. If the parties do not reach agreement, the Court endorsed the parties’ request to submit by November 27, a pre-motion conference request relating to any substantive issues in dispute.

Since the Court’s September 11, 2023 order, the parties have met and conferred twice and have exchanged written proposals. As of the filing of this letter, the parties are still discussing the substantive terms of an amendment to the Consent Decree. The Government is also in the process of getting information relating to an estimated timeline for obtaining the required approvals for a proposed stipulation and order if the parties reach a proposed agreement. Due to the absence of agency subject matter experts and Government attorneys for the upcoming Thanksgiving holiday, the Government respectfully requests a short extension of time to submit a joint letter or a pre-motion conference request, from Monday, November 27, 2023, to **Wednesday, November 29, 2023**. Counsel for NRDC consents to this request. This is the Government’s first request for an extension of time to file a joint letter or a pre-motion conference request relating to the parties’ efforts to amend the Consent Decree.

We thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

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