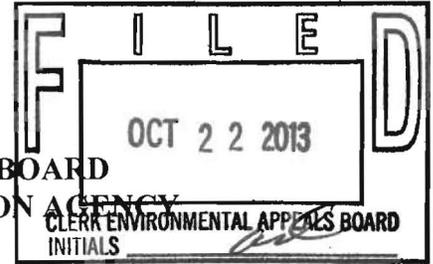


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)

Stericycle Inc.)

Utah Title V Permit No. 1100055002)

)

) CAA Appeal No. 13-01

**ORDER GRANTING MOTION FOR REVISED DUE DATE FOR RESPONSE
TO PETITION AND DEEMING STERICYCLE'S PAPERS AS TIMELY FILED**

On September 13, 2013, the Environmental Appeals Board ("Board") requested that the U.S. Environmental Protection Agency ("EPA") Office of Air and Radiation ("OAR") file a response by October 15, 2013, to an appeal filed by Greenaction for Health and Environmental Justice and Concerned Salt Lake City Area Residents Against Stericycle Incinerator. Due to a lapse in appropriations, the U.S. government was partially shut down from October 1, 2013, through October 16, 2013, reopening on October 17, 2013. The Board was closed during the shutdown, as was the majority of EPA.

On October 17, 2013, OAR filed a motion requesting the Board establish a new deadline for OAR's response in light of the shutdown. Specifically, OAR requests that a new date be set for October 31, 2013. Motion of EPA OAR for a Revised Due Date for Response to the Petition at 2. Counsel for OAR indicates that he did not work on this matter during the shutdown. *Id.*

Counsel for OAR avers that he contacted petitioners to obtain their views on the motion. *Id.* He indicates that one of the petitioners, Cindy King of Concerned Salt Lake City Area

Residents Against Stericycle Incinerator, did not object to the new due date and that the other petitioner, Bradley Angel, had not responded to his communication as of the time of the filing of the motion. *Id.*

Also during the shutdown, Stericycle Inc. (“Stericycle”), the permittee in this matter, attempted to file several documents by hand with the Board. *See* Motion for an Order Deeming Stericycle’s Papers Timely Filed at 1. In particular, on October 15, 2013, which was the original due date for a response to the petition, Stericycle attempted to file a Motion to Intervene or, in the Alternative, to Participate as an Amicus of the Board and a Motion to Dismiss the Appeal for Lack of Jurisdiction or, in the Alternative, for an Extension of Time. *Id.* Because the Board was closed, however, nobody was able to accept those documents. *Id.* Stericycle requests the Board accept these papers as timely filed.

For good cause shown, the Board GRANTS OAR’s motion for a new due date. The shutdown began 14 days before the original due date, and OAR requests 14 additional days after the end of the shutdown. Accordingly, OAR’s response is due on October 31, 2013. The Board also GRANTS Stericycle’s motion deeming Stericycle’s papers as timely filed.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: October 23, 2013

By: 

Randolph L. Hill
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *Order Granting Motion for Revised Due Date for Response to Petition and Deeming Stericycle's Papers as Timely Filed* in the matter of Stericycle Inc., CAA Appeal No. 13-01, were sent to the following persons in the manner indicated:

By U.S. First Class Mail:

Bradley Angel
Greenaction for Health and
Environmental Justice
703 Market Street, Suite 501
San Francisco, CA 94103

Cindy King
Concerned Salt Lake City Area
Residents Against Stericycle
Incinerator
2963 South 2300 East
Salt Lake City, Utah 84109

Stericycle Inc.
Corporate Headquarters
28161 N. Keith Drive
Lake Forest, IL 60045

Utah Department of Environmental
Quality
Division of Air Quality
P.O. Box 144820
Salt Lake City, UT 84114

By EPA Inter-Office Mail:

James J. Havard
Air and Radiation Law Office
EPA Office of General Counsel
1200 Pennsylvania Ave., N.W.
MC 2344A
Washington, D.C. 20460

By EPA Pouch Mail:

Steve Odendahl
Associate Regional Counsel
US EPA Region 8
1595 Wynkoop St., 8RC
Denver, CO 80202



Annette Duncan
Secretary

OCT 22 2013

Date: _____