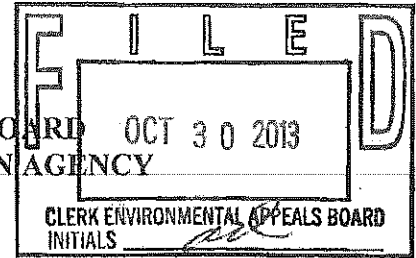


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)

City of Homedale)
Wastewater Treatment Plant)

NPDES Permit No. ID-002042-7)

NPDES Appeal No. 13-10

ORDER GRANTING REGION 10'S MOTION FOR EXTENSION OF TIME

On September 30, the Idaho Conservation League ("ICL") filed a petition for review of NPDES Permit ID-002042-7 that the United States Environmental Protection Agency ("EPA"), Region 10 ("Region") issued to the City of Homedale Wastewater Treatment Plant. Due to a lapse in appropriations, however, the U.S. government was partially shut down from October 1, 2013 through October 16, 2013, reopening October 17, 2013. The Environmental Appeals Board was closed during the shutdown, as was the majority of the EPA. Pursuant to 40 C.F.R. § 124.19(b)(2), the Region must file its "response to the petition for review, a certified index of the administrative record, and the relevant portions of the administrative record within 30 days after" the petition is filed. On October 25, 2013, the United States Environmental Protection Agency ("EPA"), Region 10 ("Region") filed a motion seeking until December 6, 2013, to file its response brief to the petition.

The Region requests additional time based in part on the partial government shutdown, noting that the Regional Attorney assigned to the matter did not return to the office until October

21, 2013. The Region also indicated that the EPA permit writer was out of the office and would not have the opportunity to review the petition for review until October 28, 2013, that the attorney from EPA's Office of General Counsel who is assigned to review the Region's response brief is scheduled to be out of the office on November 14th and 15th, and that multiple EPA staff members needed to review the response brief are out during the week of November 25, 2013 for the Thanksgiving holiday. In accordance with 40 C.F.R. § 124.19(f)(2), the Region contacted ICL, and reports that ICL does not object to the extension sought.

For good cause shown, the motion is hereby **GRANTED**. The Region must file its response to the petition, a certified index of the administrative record, and the relevant portions of the administrative record in this matter on or before **December 6, 2013**.

So ordered.

Dated: *October 30, 2013*

ENVIRONMENTAL APPEALS BOARD

By: *Leslye M. Fraser*

Leslye M. Fraser
Environmental Appeals Judge

CERTIFICATE OF SERVICE


I certify that I sent copies of the foregoing *Order Granting Region 10's Motion for Extension of Time*, NPDES Appeal No. 13-10, to the following persons in the manner indicated:

By U.S. First Class Mail:

Justin Hayes
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Annette Duncan
Secretary

OCT 30 2013
Date: _____

