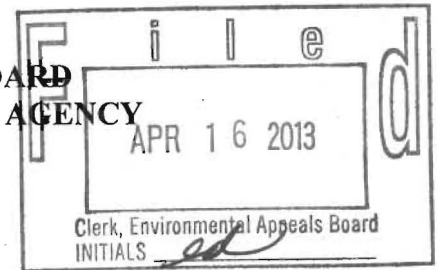


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:

Pio Pico Energy Center

PSD Permit No. SD 11-01

) PSD Appeal Nos. 12-04 through 12-06

ORDER RESCHEDULING FILING DEADLINE

On April 5, 2013, the Environmental Appeals Board ("Board") issued an order scheduling a status conference on April 11, 2013, and directing U.S. EPA Region 9 ("Region") and Pio Pico Energy Center ("Pio Pico") to provide certain information at the status conference and in follow-up supplemental briefs that were due on April 15, 2013.¹ The order also allowed Petitioners to file responses to the supplemental briefs no later than April 19, 2013.

At the status conference, the Region requested a two-week extension of time to submit its supplemental brief. The Region explained that: (1) additional time would allow the Region an opportunity to review Pio Pico's submittal before the Region files its brief; and (2) counsel for the Region had been called to report for jury duty starting April 15, 2013, and it would be difficult for the Region to immediately review Pio Pico's filing and prepare a response. The Board decided not to rule on the request during the status conference. Instead, the Board directed the Region to file a status update the week of April 15 addressing counsel's jury service. On April 16, 2013, the Region filed a status update informing the Board that counsel for the Region

¹ Order Scheduling Status Conference and Directing Parties to Provide Additional Information (EAB Apr. 5, 2013).

is no longer required to report for jury service at this time and that she is excused from jury service.

Accordingly, the Board grants the Region additional time to file supplemental briefs. The Region's supplemental brief is now due no later than **Monday, April 22, 2013**, and is limited to fifteen (15) pages. The supplemental brief should contain responses to the request for information specified in the April 5 order, as well as any other issue identified at the status conference. Petitioners may file responses to Pio Pico's and the Region's supplemental briefs. Petitioners' responses are limited to seven (7) pages and are now due no later than Monday, **April 29, 2013**.

So ordered.

ENVIRONMENTAL APPEALS BOARD



Kathie A. Stein
Environmental Appeals Judge

Date: *April 16, 2013*

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Rescheduling Filing Deadline in the matter of Pio Pico Energy Center, PSD Appeal Nos. 12-04 through 12-06, were sent to the following persons in the manner indicated:

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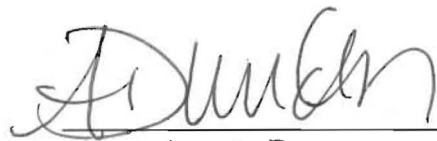
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Dated: APR 16 2013



Annette Duncan
Secretary