

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

In re:	)	
	)	
U.S. Department of Energy and Triad	)	NPDES Appeal No. 23-04
National Security, LLC	)	
	)	
NPDES Permit No. NM0028355	)	
	)	

**ORDER GRANTING EXTENSION OF TIME TO FILE REPLY BRIEF**

On December 19, 2023, Counsel for Petitioners filed an Unopposed Motion for Extension of Time (“Motion”) with the Environmental Appeals Board (“Board”) requesting an extension of time for filing their reply brief in this permit appeal. *See* Petitioners’ Unopposed Motion for Extension of Time (December 19, 2023). U.S. Environmental Protection Agency, Region 6 (the “Region”) filed a Response To Petition for Review on December 13, 2023, and the U.S. Department of Energy and Triad National Security, LLC, (collectively, the “Permittees”) filed Permittees’ Response to Petition for Review on December 13, 2023. Petitioners request an extension of time to January 11, 2024, to file a reply brief.

The sole basis in Petitioners’ Motion for the requested extension is that counsel for the Region and counsel for the Permittees do not oppose the Motion. Notwithstanding that, the Board grants the Motion given the two upcoming national holidays, which will occur on December 25, 2023, and January 1, 2024. Counsel are reminded that a motion filed with the Board “must state with particularity the grounds for the motion, the relief sought, and the legal argument necessary to support the motion.” 40 C.F.R. §124.19(f)(2).

The Board **GRANTS** the Motion. Accordingly, Petitioners shall file their reply brief on or before **Thursday, January 11, 2024**.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**



Dated: December 21, 2023

By: \_\_\_\_\_

Aaron P. Avila  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting Extension of Time To File Reply Brief* in the matter of U.S. Department of Energy and Triad National Security, LLC, NPDES Appeal No. 23-04, were sent to the following persons in the manner indicated:

**By Email:**

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Dated: Dec 21, 2023

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