

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

In re)	
)	
)	
AMVAC Chemical Corporation)	Appeal No. FIFRA 22-01
)	
)	
Docket No. FIFRA-HQ-2022-02)	
)	

**RESPONDENT’S OPPOSITION TO PETITIONER’S MOTION
FOR LEAVE TO FILE REPLY BRIEF AND FOR ORAL ARGUMENT**

Respondent, the Office of Chemical Safety and Pollution Prevention, Office of Pesticide Programs, of the U.S. Environmental Protection Agency respectfully submits this motion opposing AMVAC Chemical Corporation’s (“AMVAC”) Motion for Leave to File Reply Brief and for Oral Argument. As contemplated in 40 C.F.R. § 164.102(c), the parties’ previously submitted briefs and the record before the Board provide a sufficient basis to decide AMVAC’s appeal of the Administrative Law Judge’s July 1, 2022 Order Granting Respondent’s Motion for Accelerated Decision. Additionally, FIFRA Section 3(c)(2)(B)(iv), provides that a determination on this matter shall be made within 75 days of AMVAC’s May 27, 2022 Request for Hearing, to wit: August 10, 2022. *Cf.* Revised Order Governing Petitions for Review of Clean Air Act New Source Review Permits (EAB Sept. 21, 2020) (applying presumptions against the filing of reply briefs and against holding oral argument “to facilitate expeditious resolution of” “time-sensitive [] NSR appeals”).

Respectfully submitted,

Dated: August 3, 2022

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Respondent's Opposition to Petitioner's Motion**, dated August 3, 2022, was sent this day to the following parties in the manner indicated below.

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Dated August 3, 2022