

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

In the Matter of:	)	
	)	
Upper Blackstone Water	)	NPDES Appeal Nos. 08-11, 08-12,
Pollution Abatement District	)	08-13, 08-14, 08-15, 08-16, 08-17,
	)	08-18
NPDES Permit No. MA 0102369	)	
	)	

**REGION 1'S MOTION FOR AN EXTENSION**

Region 1 of the United States Environmental Protection Agency ("the Region") moves that the Environmental Appeals Board ("the Board") grant an extension through Thursday, December 18, 2008 for the Region to file its response to the above-referenced petitions. As grounds for this request, the Region states as follows:

1. By Order dated September 23, 2008, the Board granted requests of petitioners the Upper Blackstone Water Pollution Abatement District ("Upper Blackstone") (Appeal No. 08-11) and the Massachusetts Department of Environmental Protection ("MassDEP") (Appeal No. 08-12) for a two week extension to supplement their respective petitions for review. In the Order, the Board also directed the Region to file its response to the petitions by December 5, 2008.
2. By Order dated October 3, 2008, the Board granted the Region's motion to set a single response date of December 5, 2008 to the other six petitions filed in this matter, including: Conservation Law Foundation (Appeal No. 08-13); Northern RI Chapter 737 Trout

Unlimited (Appeal No. 08-14); Town of Holden (Appeal No. 08-15);  
Town of Millbury (Appeal No. 08-16); Cherry Valley Sewer District  
(Appeal No. 08-17); and City of Worcester (Appeal No. 08-17).

3. The Region requested the December 5, 2008 response date to all petitions before receipt of the supplemental petitions submitted by Upper Blackstone and the MassDEP.
4. In light of the number and scope of overlapping issues raised in all eight petitions that have been filed, counsel for the Region underestimated the amount of time needed to provide a single, comprehensive response to all petitions. The extension requested will allow the Region to fully evaluate the various and overlapping arguments raised and to better organize its responses, thereby facilitating review by the Board.
5. The Region has reached seven of the eight petitioners, all of whom have indicated they have no objection to the requested extension. The Region has attempted, but has not yet been able to speak directly with petitioner Town of Holden (Appeal No. 08-15).

Dated: November 14, 2008

Respectfully submitted by EPA-Region 1,



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## **CERTIFICATE OF SERVICE**

I hereby certify that copies of Region 1's Motion for Extension in connection with NPDES Appeal Nos. 08-11, 08-12, 08-13, 08-14, 08-15, 08-16, 08-17, 08-18, were sent to the following persons in the manner indicated:

By Electronic Submission and First Class U.S. Mail:

U.S. Environmental Protection Agency  
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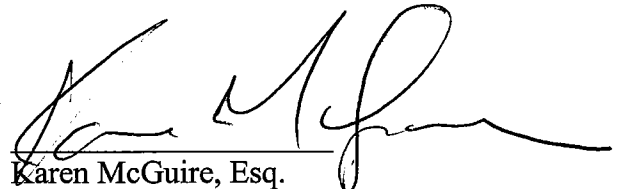
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