

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

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 )  
 In re Evoqua Water Technologies LLC and )  
 Colorado River Indian Tribes )  
 )  
 RCRA Permit No. AZD982441263 )  
 )  
 \_\_\_\_\_ )

RCRA Appeal No. 18-01

**ORDER DIRECTING RESPONSE  
 TO REGION’S MOTION FOR EXTENSION OF TIME**

On December 18, 2018, EPA Region 9 (“Region”) filed a motion seeking an extension of time to comply with the Board’s Order for Further Briefing on Evoqua’s Motion for Stay of Permit Provisions Pending Board Review (Dec. 14, 2018). That Order requires all three parties in this proceeding – Evoqua Water Technologies LLC (“Evoqua”), the Region, and the Colorado River Indian Tribes (“Tribes”) – to meet and confer and to file supplemental briefs addressing three questions concerning Evoqua’s Motion to Remand EPA Notice of Stayed Permit Provisions or, in the Alternative, Motion to Stay Permit Provisions Pending Appeal (Nov. 14, 2018). The Order also requires the Region to confer with the EPA Office of General Counsel prior to filing its supplemental brief to ensure that the Region’s response reflects the Agency’s views.

In its motion, the Region seeks a three-week extension of time (from January 8 to January 29, 2019) to comply with the Board’s Order. The Region states that it requires this additional time to prepare its brief, including sufficient time to confer with the Office of General Counsel and to meet and confer with the other parties. The Region states that Evoqua’s attorney

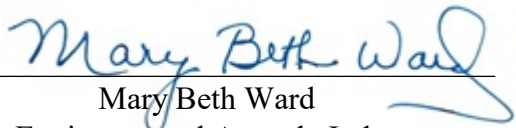
sent an email message indicating that Evoqua opposes its motion, and that the Tribes' counsel sent an email indicating that the Tribes have no objection to the motion.

To the extent that Evoqua wishes to file a brief explaining further its opposition to the motion, the Board directs Evoqua to file its brief on or before **December 20, 2018**.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Date: December 19, 2018

By:   
Mary Beth Ward  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing ORDER DIRECTING RESPONSE TO REGION'S MOTION FOR EXTENSION OF TIME in the matter of *Evoqua Water Technologies LLC*, RCRA Appeal No. 18-01, were sent to the following persons by email:

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Date: December 19, 2018



Eurika Durr  
Clerk of the Board