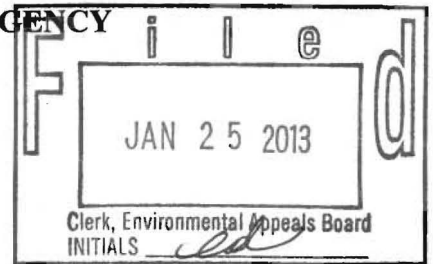


**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC**



\_\_\_\_\_)  
In re: )  
)  
Town of Newmarket )  
Wastewater Treatment Plant )  
)  
Permit No. NH0100196 )  
\_\_\_\_\_)

NPDES Appeal No. 12-05

**ORDER EXTENDING TIME TO FILE REPLY BRIEFS**

Great Bay Municipal Coalition (“Coalition”), the petitioner in the above-captioned matter, has filed a motion seeking a modification of the briefing schedule set forth in the Environmental Appeals Board’s January 11, 2013 Order Denying Motion to File Supplemental Brief and Allowing Reply Briefs. *See* Request to Modify the Briefing Schedule (Jan. 18, 2013) (“Motion”). As set out in the Board’s January 11th Order, the U.S. Environmental Protection Agency, Region 1’s (“Region”) response to the Petition must be filed no later than February 8, 2013. The Order states further that the Coalition may file a reply no later than February 22, 2013 (limited to 25 pages), and the Region may file a sur-reply no later than March 8, 2013 (also limited to 25 pages).

The Motion requests that the Board grant an additional week for both parties to file reply briefs. In support of the Motion, the Coalition states as follows:

Counsel has already made travel arrangements to be out of town over the President’s Day weekend (February 16-18th). Counsel for Petitioners also has

several other matters in litigation that we are expecting a request for judicial conference during that period [sic]. In addition, EPA's answer in the mandatory duties suit in D.C. District Court is due on February 19th. Depending on what is said in EPA's answer, we may move for summary judgement. If summary judgement is granted, it should result in remand of the Newmarket permit. If that happens, there is no reason for the Board to review the Newmarket permit.

Motion at 1-2. The Motion states further that the Region does not object to a one-week extension for both parties. *Id.* at 2.

Because the Motion seeks only a one-week extension and because the Region does not object to the request, the Motion is **GRANTED**. The Coalition's reply must now be filed no later than March 1, 2013. The Region may file a sur-reply no later than March 15, 2013.

So ordered.

Dated: *January 31, 2013*

ENVIRONMENTAL APPEALS BOARD

By: *Katherine R. McCabe* *for Catherine R. McCabe*  
Catherine R. McCabe  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Extending Time to File Reply Briefs in the matter of Town of Newmarket Wastewater Treatment Plant, NPDES Appeal No. 12-05, were sent to the following persons in the manner indicated:

By First Class Mail and Facsimile:

John C. Hall  
1620 I Street, NW  
Suite 701  
Washington, D.C. 20006

Fax No. (202) 463-4207

By EPA Pouch Mail and Facsimile:

Samir Bukhari (ORA 18-1)  
U.S. EPA, Region 1  
Office of Regional Counsel  
5 Post Office Square - Suite 100  
Boston, MA 02109-3912

Fax No. (617) 918-0095

Dated: **JAN 25 2013**



---

Annette Duncan  
Secretary