



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

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In re: )  
          ) NPDES Appeal No. 20-01  
City and County of San Francisco )  
          )  
NPDES Permit No. CA0037681 )  
          )  

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**ORDER GRANTING EXTENSION OF TIME TO FILE REPLY IN SUPPORT OF  
SUPPLEMENT TO PETITION**

This matter involves a January 13, 2020, petition for review that the City and County of San Francisco (“San Francisco”) filed with the Environmental Appeals Board (“Board”) seeking review of a joint NPDES authorization issued by EPA Region 9 (“Region”) and the California Regional Water Quality Control Board for the San Francisco Bay Region. On June 18, 2020, the Board granted San Francisco leave to supplement its petition, which San Francisco timely filed on June 30, 2020. The Region filed its response to San Francisco’s supplement to its petition on July 23, 2020, pursuant to a previously issued extension of time. On July 30, 2020, San Francisco filed an Unopposed Motion for Extension of Time to further extend the time to file its reply (“Motion”).

In support of the prior extension of time (to file a response and a reply to San Francisco’s supplement to its petition), the parties explained that the law firm that had been representing San Francisco in this matter would no longer serve as San Francisco’s counsel as of July 1, 2020. As such, San Francisco sought additional time to allow its new counsel to become familiar with the case. Pursuant to the Board’s July 7, 2020, Order, San Francisco was required to file its reply on or before August 12, 2020.

San Francisco now seeks an additional nine days to file its reply in support of its supplement to its petition. In support, San Francisco states that it has “worked diligently” to finalize retention of new counsel, but that the “process of clearing conflicts is taking longer than anticipated.” Motion at 1, 3. Because its new counsel is not yet under contract and cannot perform work on San Francisco’s behalf, San Francisco now seeks more time to file its reply brief. San Francisco represents that the Region does not oppose this motion. *Id.* at 1.

Based on the representations in the Unopposed Motion for Extension of Time, the Board **GRANTS** the motion. San Francisco must file its reply in support of its supplement to its petition on or before **August 21, 2020**.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: August 3, 2020

By:   
\_\_\_\_\_  
Aaron P. Avila  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I certify that copies of the *Order Granting Extension of Time to File Reply in Support of Supplement to Petition* in the matter of City and County of San Francisco, NPDES Appeal No. 20-01, were sent to the following persons by email:

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Dated: **Aug 03 2020**



Eurika Durr  
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