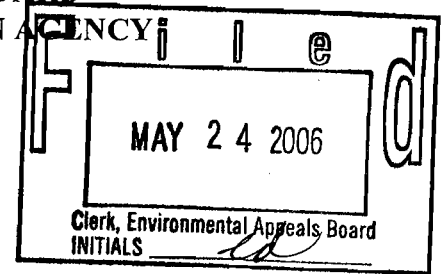


**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**



\_\_\_\_\_  
In re: )  
 )  
Environmental Protection )  
Services, Inc. )  
 )  
Docket No. TSCA-03-2001-0331 )  
\_\_\_\_\_ )

TSCA Appeal No. 06-01

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO FILE RESPONSE BRIEF**

By motion filed May 16, 2006, Appellee U.S. Environmental Protection Agency Region III (“Region”) seeks an extension of time, until July 3, 2006, to file a brief responding to the appeal brief filed by Appellant Environmental Protection Services, Inc. (“EPS”) in the above-captioned matter.<sup>1</sup> EPS filed its appeal brief with the Board on May 12, 2006.

In support of its motion, the Region states that the above extension of time is “reasonable in light of the length and scope of [EPS’] brief,” which the Region notes contains “153 pages of argument” and a 39-page appendix.<sup>2</sup>

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<sup>1</sup>The Consolidated Rules of Practice (“CROP”) governing this proceeding allow parties to file response briefs within twenty days of service of notices of appeal and appeal briefs. *See* 40 C.F.R. § 22.30. Pursuant to the CROP, the Board may grant an extension of time for filing any document upon timely motion of a party, for good cause shown, and after consideration of prejudice to other parties. *See* 40 C.F.R. § 22.7.

<sup>2</sup>The Board notes that in seeking an extension of time to file its appeal brief in this proceeding, EPS stated that it would “not object to any extension that might be requested in the event [the Region] seeks an extension of its reply deadline.” [EPS’] Motion to Extend Deadline for Filing Appeal Brief (Mar. 20, 2006).

For good cause shown, the Region's motion is granted. The Region's response brief must be received by the Board on or before July 3, 2006.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: 5/24/06

By: Scott C. Fulton  
Scott C. Fulton  
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Extension of Time to File Response Brief in the matter of Environmental Protection Services, Inc., TSCA Appeal No. 06-01, were sent to the following persons in the manner indicated:

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U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103

Date: 5-25-06



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Annette Duncan  
Secretary