

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

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In re:)	
Springfield Water and Sewer Commission)	NPDES Appeal No. 20-07
NPDES Permit No. MA0101613)	
)	

**ORDER GRANTING UNOPPOSED MOTION
FOR EXTENSION OF TIME TO FILE AMICUS BRIEFS**

On October 30, 2020, Springfield Water and Sewer Commission filed a petition for review of a National Pollutant Discharge Elimination System permit renewal that authorizes discharges from the Springfield Regional Wastewater Treatment Facility in Springfield, Massachusetts. On November 9, 2020, U.S. Environmental Protection Agency, Region 1 (“Region”), filed an unopposed motion for a fourteen-day extension of time to file its response to the petition for review. The Environmental Appeals Board (“Board”) granted the Region’s motion and thus the Region’s response is due on or before December 16, 2020.

On November 20, 2020, Save the Sound, Inc., and Connecticut River Watershed Council, Inc., d/b/a Connecticut River Conservancy, filed a motion to extend the deadline for filing amicus curiae briefs in this case. Under the permitting regulations, the original deadline for amicus briefs is November 20, 2020, or twenty-one days after the filing of the petition. *See* 40 C.F.R. § 124.19(e). Save the Sound and Connecticut River Conservancy ask that the filing deadline be extended to December 16, 2020, to correspond to the deadline established for the Region’s response brief. Motion at 3. They present similar reasons for the extension to those provided by the Region; namely, the complexity of the petition, counsel workloads, and

Thanksgiving holiday leave schedules. *Id.* They also report that they contacted counsel for Springfield and the Region, and neither object to their request for an extension through December 16, 2020, when the Region's response is due. *Id.*

Based on Save the Sound and Connecticut River Conservancy's representations in their unopposed motion, the Board hereby **GRANTS** the motion for an extension of time to file amicus curiae briefs responding to the petition for review. Save the Sound and Connecticut River Conservancy's amicus briefs must be filed on or before **Wednesday, December 16, 2020**.


Pursuant to 40 C.F.R. § 124.19(i)(3)(iii), the Board is serving this Order by electronic mail (Clerk_EAB@epa.gov) at the addresses provided by the parties that are listed on the attached Certificate of Service. Parties shall promptly file a notice in this matter informing the Board and the other parties if their e-mail addresses change. The parties should continue to use the Board's electronic filing system for filing all documents in this appeal.

Finally, the Board recently authorized parties to all pending and newly filed permit appeals, among others, to utilize e-mail to fulfill their service obligations under 40 C.F.R. § 124.19(i)(3)(ii) without seeking and obtaining the consent of another party in order to serve that party by e-mail. *Env'tl Appeals Bd., U.S. EPA, Revised Order Authorizing Electronic Service of Documents in Permit and Enforcement Appeals* (Sept. 21, 2020).

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: **Nov 20 2020**

By: 
Mary Kay Lynch
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing **Order Granting Unopposed Motion for Extension of Time to File Amicus Briefs** in the matter of *Springfield Water and Sewer Commission*, NPDES Appeal No. 20-07, were sent to the following persons in the manner indicated:

By Electronic Mail:

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Dated: **Nov 20 2020**



Eurika Durr
Clerk of the Board