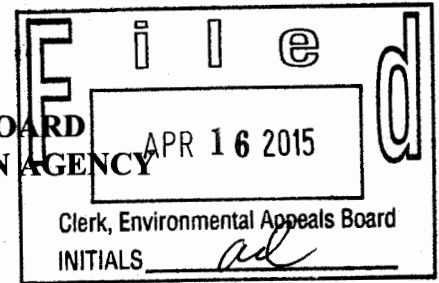


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
)
Wesco Operating, Inc.) NPDES Appeal No. (15-02)
Tensleep #1 (Winkleman Dome Field))
Wind River Indian Reservation)
)
NPDES Permit Nos. WY-0025232)
_____)

**ORDER GRANTING EXTENSION OF TIME
TO FILE PETITION FOR REVIEW**

On April 8, 2015, Wesco Operating, Inc. ("Wesco") filed a motion for a sixty-day extension of time to file a petition for review of National Pollutant Discharge Elimination System ("NPDES") Permit No. WY-0025232. Region 8 of the U.S. Environmental Protection Agency issued the permit to Wesco on March 12, 2015, authorizing discharges of treated wastewater from Wesco's Tensleep #1 wastewater treatment facility in Fremont County, Wyoming, into an unnamed ephemeral tributary of Bighorn Draw and the Little Wind River. Wesco seeks the extension in order to fully evaluate the new permit's potential impacts, consult with the Northern Arapahoe and Shoshone Tribes regarding the permit's economic and environmental consequences, and request interagency permit review by four other federal agencies.

On April 13, 2015, EPA Region 8 filed a response to Wesco's motion, consenting to a thirty-day extension of time but objecting to the additional thirty days. The Region states that it contacted Wesco, Northern Arapahoe, and Shoshone representatives regarding the disputed permit provisions and determined that such provisions are not extensive. The Region suggests

that a thirty-day extension would provide sufficient time for all necessary coordination while providing Wesco a full sixty days from the permit issuance date to file its appeal.


The Board has, on occasion and for good cause shown, granted motions seeking additional time to file appeals. Here, Wesco identifies a need for some additional time for tribal consultation but makes no showing that sixty additional days are required. Nonetheless, the Board perceives no prejudice to Wesco, the two Tribes, or the Region from following this course in the instant case, to the extent of the thirty additional days agreed to by all parties.

Accordingly, for good cause shown, the Board hereby **GRANTS** an extension of time to Wesco to file its petition for review of NPDES Permit No. WY-0025232. If, after analyzing the permitting record and consulting with the two Tribes and other relevant entities, Wesco elects to appeal the Region's permit decision, Wesco's petition for review must be filed with the Clerk of the Environmental Appeals Board on or before **Monday, May 18, 2015**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: April 16, 2015

By: 
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Extension of Time to File Petition for Review** in the matter of *Wesco Operating, Inc.*, NPDES Appeal No. (15-02), were sent to the following persons in the manner indicated:

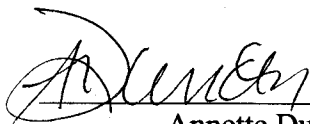
By Facsimile and First Class U.S. Mail:

Robert W. Kirkwood, President
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Post Office Box 1650
Casper, Wyoming 82602
telephone: (307) 265-5178
facsimile: (307) 265-1791

By Facsimile and EPA Pouch Mail:

Everett Volk
U.S. Environmental Protection Agency, Region 8
Mail Code 8RC
1595 Wynkoop Street
Denver, Colorado 80202-2466
telephone: (303) 312-7290
facsimile: (303) 312-6859

Date: APR 16 2015



Annette Duncan
Secretary