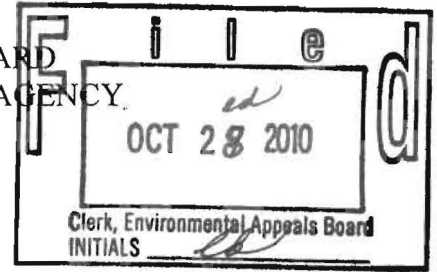


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)

Smith Farm Enterprises, LLC)

Docket No. CWA-03-2001-0022)

CWA Appeal No. 08-02

ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION

On October 13, 2010, Respondent Smith Farm Enterprises, LLC (“Smith Farm”) filed a Motion for Partial Reconsideration and to Stay the effect of the Board’s Decision and Order and an alternative Motion for Remand and Stay (the “October 13, 2010 motions”). Complainant, U.S. EPA Region 3 (“the Region”) has indicated that, pursuant to 40 C.F.R. §§ 22.16(b) and 22.7(b), its response to the October 13, 2010 motions would be due October 28, 2010. On October 26, 2010, Smith Farm filed a Motion for Leave to Correct its October 13, 2010 motions. On October 27, 2010, the Region filed a Motion for Extension of Time to File Response to [the October 13, 2010 motions] (“Motion for Extension”). According to the Region, the “correction” Smith Farm seeks to make “affects how Complainants will respond to the October 13, 2010 motions.” The Region seeks an additional four business days, or until November 3, 2010, to respond to the motions. Smith Farm does not oppose the extension.

Having duly considered Complainant's Motion for Extension, and for good cause shown, the Board **GRANTS** Complainant's motion. The Region has until November 3, 2010 to respond to Smith Farm's October 13, 2010 Motions.

So ordered.

Dated: October 28, 2010

ENVIRONMENTAL APPEALS BOARD



Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Unopposed Motion for Extension in the matter of *Smith Farm Enterprises, LLC*, CWA Appeal No. 08-02, were sent to the following persons in the manner indicated.

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Dated: OCT 28 2010


Annette Duncan
Secretary