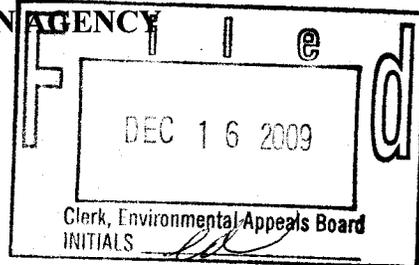


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)

Guam Waterworks Authority)
Northern District Sewage Treatment Plant)
NPDES Permit No. GU0020141)

&)

Guam Waterworks Authority)
Agana Sewage Treatment Plant)
NPDES Permit No. GU0020087)

NPDES Appeal Nos.
09-15 & 09-16

**ORDER GRANTING JOINT MOTION TO ESTABLISH FILING DATE
FOR REGION'S RESPONSE**

On December 11, 2009, United States Environmental Protection Agency, Region 9 ("Region") and the Guam Waterworks Authority ("GWA") filed a joint motion with the Environmental Appeals Board ("Board") requesting the Board establish a filing date for the Region's Response to GWA's consolidated petitions for review of two final decisions of the Acting Regional Administrator denying GWA's requests for variances from the Clean Water Act's secondary treatment requirements for the two above-captioned facilities. GWA filed its consolidated supplemental brief in support of its petitions for review on December 4, 2009. In their joint motion, the parties request that the Board establish February 26, 2010, as the deadline for the Region's Response. Joint Motion to Establish Filing Date for Region IX's Response Date at 1.

The Board typically grants the permitting authority forty-five days to file its response. See EAB Practice Manual at 36 (June 2004). The parties request additional time in this case for several reasons, including the fact that both parties, as governmental entities, have limited resources and are jointly requesting this deadline in order to “effectively manage public resources.” *Id.* at 2. Moreover, the Region notes that, in light of the upcoming holidays, several EPA personnel who need to review the supplemental brief and draft the response will be unavailable. *Id.* Those personnel, moreover, are also “engaged in other administrative and judicial matters that are complex and time-consuming.” *Id.* The parties additionally note that no other entity has filed a request for or been granted amicus status in this proceeding, and thus no other party would be prejudiced by the parties’ motion. *Id.*

Accordingly, for good cause shown, the parties’ joint motion to establish a filing date for the Region’s response in this consolidated matter is **GRANTED**. The Region’s response to GWA’s consolidated petitions for review of the Final Decisions is due on or before **Friday, February 26, 2010**.

So ordered.

Dated: *December 16, 2009*

ENVIRONMENTAL APPEALS BOARD

By: *Kathie A. Stein*
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Joint Motion to Establish Filing Date for Region's Response in the matter of Guam Waterworks Authority Northern District Sewage Treatment Plant, NPDES Appeal No. 09-15, and in the matter of Guam Waterworks and Agana Sewage Treatment Plant, NPDES Appeal 09-16, were sent to the following persons in the manner indicated:

By Inter-Office Mail and FAX:

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By Pouch Mail and FAX:

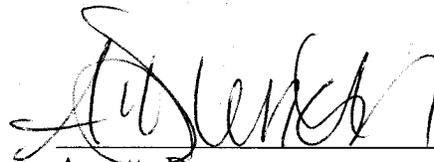
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Dated: DEC 16 2008


Annette Duncan
Secretary