



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3580

ENVIR. APPEALS BOARD

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September 22, 2011

REPLY TO THE ATTENTION OF:

By Fax and Pouch Mail

Ms. Eurika Durr
Clerk of the Board, Environmental Appeals Board (MC 1103B)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C 20460-0001

Re: Joint Motion to Extend Briefing Deadlines
In re: ArcelorMittal Cleveland, Inc.
Permit No. OH0000957, NPDES Appeal No. 11-01

Dear Ms. Durr:

Enclosed please find the original and five copies of a Joint Motion to Extend Briefing Deadlines, for filing with the U.S. EPA Environmental Appeals Board.

Respectfully submitted,

Terence Branigan
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Associate Regional Counsel (C-14J)
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cc: Dale E. Papajcik, Esq.
Lianne Mantione, Esq.
Scott Nally, Director, Ohio EPA
George Elmaraghy, Ohio EPA
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**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)
)
ArcelorMittal Cleveland, Inc.)
) NPDES Appeal No. 11-01
)
Permit No. OH0000957)
)
)
)
)

JOINT MOTION TO EXTEND BRIEFING DEADLINES

Counsel for the Appellee and the Appellant ("Parties") in the matter captioned above hereby respectfully request that the deadlines for filing briefs in this matter be extended by twenty-one (21) days, so that the deadline for the Appellee United States Environmental Protection Agency Region 5 ("Region") to file its brief would be extended to October 21, 2011, and the deadline for Appellant ArcelorMittal Cleveland Inc., to file its reply brief would be extended (taking into account the holiday and extending the deadline to the next working day) to November 14, 2011. In support of this request, Counsel for the Parties state as follows:

1. On September 8, 2011, Environmental Appeals Judge Kathie A. Stein issued an Order for Additional Briefing ("Order") in this matter, directing the Region to file its brief no later than September 30, 2011, and directing ArcelorMittal Cleveland Inc. to file its reply brief not later than October 14, 2011.
2. The Order specifies that the Region's brief should reflect consultation with the United States Environmental Protection Agency Office of General Counsel and Office of Water.
3. September is the final month of the fourth quarter of the fiscal year for federal agencies, including EPA, and is an extremely busy period not only for the Region but also for the Office of General Counsel and the Office of Water.

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In re: ArcelorMittal Cleveland, Inc.
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NPDES Appeal No. 11-01
Joint Motion To Extend Briefing Deadlines


4. The requested extension of time would facilitate the Region's obligation to consult with the Office of General Counsel and the Office of Water, as required by the Order, during a period of heightened workload.
5. The requested extension of time would not burden the Appellant ArcelorMittal Cleveland Inc. since the deadline for the Appellant's reply brief would also be extended by a similar period.

For good cause shown, Counsel for the Parties respectfully request that this Motion be granted, and that the deadlines for filing briefs in this matter be extended by twenty-one (21) days, as described above.

Respectfully submitted,

Counsel for Appellee,
United States Environmental Protection
Agency, Region 5

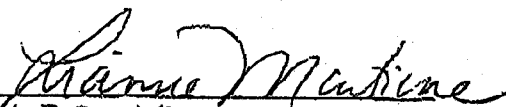
9/22/2011
Date


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In re: ArcelorMittal Cleveland, Inc.
Permit No. OH0000957
NPDES Appeal No. 11-01
Joint Motion To Extend Briefing Deadlines

9/21/2011
Date

**Counsel for Appellant,
ArcelorMittal Cleveland Inc.**


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CERTIFICATE OF SERVICE

I hereby certify that the original and copies of the foregoing Joint Motion to Extend Briefing Times were sent to the following persons on September 22, 2011, in the manner indicated:

Eurika Durr
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Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-001 [copy by fax, and original and 5 copies by pouch mail]

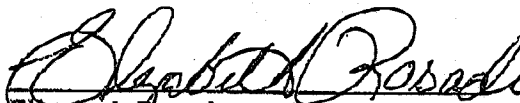
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9/22/11
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