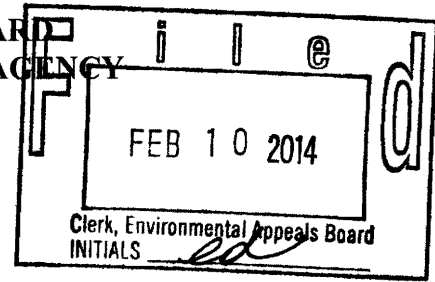


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_  
In re: )  
)  
)

ESSROC Cement Corporation )

RCRA Appeal No. 13-03

RCRA Permit No. IND 005 081 541 )  
\_\_\_\_\_)

**ORDER GRANTING IN PART UNOPPOSED MOTION FOR EXTENSION  
OF DATE FOR ORAL ARGUMENT AND RESCHEDULING ORAL ARGUMENT**

By motion dated February 5, 2014, the U.S. Environmental Protection Agency, Region 5, sought to reschedule the oral argument in the above-captioned matter from February 20, 2014, to a later, mutually convenient date for the participants due to a scheduling conflict with the Office of General Counsel (OGC) attorney participating in the argument on behalf of the Region. The Environmental Appeals Board (Board) held a status conference call on February 10, 2014, with attorneys for the petitioner, the Region, OGC, and *amicus curiae* Cement Kiln Recycling Coalition (CKRC) for the purpose of determining their availability to participate in the event the Board rescheduled oral argument.

The oral argument is rescheduled to begin at 10:30 a.m. Eastern Time on **Tuesday, March 11, 2014**, in the Administrative Courtroom, U.S. Environmental Protection Agency, William Jefferson Clinton East Building, Room 1152, 1201 Constitution Avenue, N.W., Washington, D.C. The Board recognizes that it is not possible for all participants to present argument in person; however, the Board must balance the length of time that has elapsed since

the petition was filed, the number of extensions already granted, and the Board's need to manage its docket efficiently and to resolve cases as expeditiously as possible. The Board's October 23, 2013 order allocating the amount of time for each participant's argument and participation by video conferencing equipment applies to the rescheduled oral argument date of March 11, 2014.

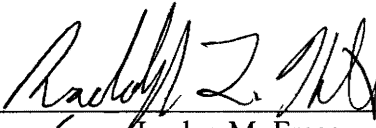
To date, the parties and CKRC have advised the Board of the individuals who will be presenting oral argument in person and by video conference. The parties shall notify the Clerk of the Board in writing by Tuesday, March 4, 2014, of the names of any changes to or additional persons who will present argument. Counsel or other duly authorized representatives for the participants who wish to present oral argument via video-conferencing shall contact the Clerk of the Board, at 202-233-0122, no later than Tuesday, February 25, 2014, to make arrangements for the use of the video conference equipment.

Accordingly, the Region's February 5, 2014 Unopposed Motion for Extension of Date for Oral Argument is GRANTED IN PART.

So ordered.

Dated: February 10, 2014

ENVIRONMENTAL APPEALS BOARD

By:  \_\_\_\_\_  
for Leslye M. Fraser  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting in Part Unopposed Motion for Extension of Date for Oral Argument and Rescheduling Oral Argument in the matter of *ESSROC Cement Corporation*, RCRA Appeal No. 13-03, were sent to the following persons in the manner indicated:

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Dated: FEB 15 2014

  
\_\_\_\_\_  
Annette Duncan  
Secretary