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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL APPEALS BOARD

In the Matter of:)
Alyeska Pipeline Service Company,)
Valdez Marine Terminal)
NPDES Permit No. AK-002324-8)
Appeal Nos. NPDES 12-04
EPA REGION 10’S
SECOND MOTION FOR EXTENSION

The United States Environmental Protection Agency, Region 10 (“Region”) respectfully requests an additional extension of time in which to file its response brief to Appeal No. 12-04. The Region requests an additional four (4) weeks to respond to the Petition for Review filed by the Alyeska Pipeline Service Company (“Alyeska”), in the above-captioned matter. The extension would move the date by which the Region must respond to the Petition from February 22, 2013 to March 22, 2013. As grounds for the motion, the Region states as follows:

1. On November 29, 2012, Alyeska filed with the Environmental Appeals Board (“EAB”) a Petition for Review of NPDES Permit No. AK-002324-8 issued to Alyeska’s Valdez Marine Terminal (“Permit”). This Petition for Review was

1 assigned Appeal No. NPDES 12-04. On December 5, 2012, the EAB sent the
2 Region a letter which established a response date to the Alyeska's Petition for
3 Review of January 25, 2013.

4 2. On December 12, 2012, the Region notified Alyeska of the permit conditions that
5 are stayed by the Petition for Review. Since the contested provisions are stayed,
6 an extension will not cause hardship or prejudice to any party.

7 3. On December 20, 2012, the Region filed with the EAB a Motion for Extension.

8 4. On January 8, 2013, the EAB granted the Region's Motion for Extension.

9 Currently, the Region's response brief is due on February 22, 2013.

10 5. EPA and Alyeska are currently in settlement discussions on this matter.

11 Additional time is needed to conclude settlement discussions and coordinate with
12 EPA Headquarter offices.

13 6. On February 14, 2013, counsel for Alyeska indicated that Alyeska does not object
14 to this motion. There are no other parties to the proceedings.

15 7. As such, to allow for time for the parties to continue settlement negotiations, the
16 Region requests that the EAB grant an additional four (4) week extension on the
17 response brief to March 22, 2013.

18
19 DATED: February 14, 2013

Respectfully Submitted

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21 /s/

22 _____
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