

**BEFORE THE ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL APPEALS BOARD
Washington, D.C.**

In re:

NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM PERMIT
NUMBER SD-0034606 FOR THE WULF
CATTLE DEPOT IN MCLAUGHLIN,
SOUTH DAKOTA

Permit Recipient: Wulf Cattle Depot
26583 109th Street
McLaughlin, SD 57642

NOTICE OF APPEAL

Permittee Wulf Cattle Depot (“Appellant”), by its undersigned counsel, hereby appeals from the issuance of the National Pollutant Discharge Elimination System (“NPDES”) Permit currently set to become effective April 1, 2021, EPA ID # SD-0034606, https://www.epa.gov/sites/production/files/2021-02/documents/wulf_cattle_depot_sd0034606_final_npdes_permit.pdf.

Together herewith, Appellant has filed an Unopposed Motion for Extension of Time to File Brief in Support of Appeal. The individuals authorized to receive service on behalf of the Appellant are Scott G. Knudson and Andrew S. Dossdall of Taft Stettinius & Hollister LLP at the address set forth below.

Respectfully submitted,

APPELLANT WULF CATTLE DEPOT

By its attorneys,

/s/ Scott G. Knudson

Scott G. Knudson

Andrew S. Dosedall

Taft Stettinius & Hollister LLP

2200 IDS Center

80 South Eighth Street

Minneapolis, MN 55402

(612) 977-8400

sknudson@taftlaw.com

adosdall@taftlaw.com

Dated: February 19, 2021

CERTIFICATE OF SERVICE

I, Scott G. Knudson, hereby certify that on this 19th day of February, 2021, I served the foregoing Notice of Appeal by U.S. mail and electronic mail to:

Everette Volk
U.S. EPA Region 8
Office of Regional Counsel
Mail Code 80ECA-OE
1595 Wynkoop Street
Denver, Colorado 80202-1129
Volk.Everett@epa.gov

/s/ Scott G. Knudson

Scott G. Knudson

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**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE APPEAL BRIEF**

Wulf Cattle Depot (“Appellant”), by its undersigned counsel, hereby moves for a 30-day extension of time from March 1, 2021 to March 31, 2021 within which to file the brief setting forth the factual and legal grounds for its appeal of the issuance of the National Pollutant Discharge Elimination System (“NPDES”) Permit currently set to become effective April 1, 2021, EPA ID # SD-0034606, issued to the Wulf Cattle Depot. In support of this unopposed request, Appellant states as follows:

1. The extension is requested because the factual and legal background of the appeal is complex and technical and requires review of an extensive administrative and factual record and the undersigned counsel was only recently retained to assist Appellant.

2. 40 C.F.R. § 124.19 contemplates that the Board may grant a 30-day extension for the filing of an appeal brief in appropriate circumstances, and the potentially novel issues here provide just such circumstances.

3. EPA Region 8 does not oppose the extension requested by Appellant herein.

WHEREFORE, Appellant Wulf Cattle Depot hereby respectfully requests that the Board grant them until March 31, 2021 to file its appeal brief in this case.

Respectfully submitted,

APPELLANT WULF CATTLE DEPOT,

By its attorneys,

/s/ Scott G. Knudson

Scott G. Knudson

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