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

In re:

Powertech (USA) Inc.

Permit Nos. SD31231-00000 & SD52173-00000 UIC Appeal No. 20-01

MOTION FOR EXTENSION OF TIME TO FILE RESPONSE ADDRESSING THE REGION'S REQUEST FOR FURTHER STAY

Powertech (USA) Inc.("Powertech") respectfully requests a two-week extension until May 18, 2021, of the time to file a response addressing the request of U.S. Environmental Protection Agency ("EPA") Region 8 ("Region") for a further stay of this matter filed on April 19, 2021. The April 21, 2021 Order of the Environmental Appeals Board ("Board") directed Powertech to file a response to the stay motion by no later than Tuesday, May 4, 2021. Among other things, the Board's Order stated that Powertech "should also explain its prior statement that a stay of proceedings before the Board would delay or affect the proceedings before the State of South Dakota." During the two-week extension, Powertech will be engaged in related and competing activities and consultations, including some related to matters South Dakota. Powertech will then be in better position to respond comprehensively to the Board's Order by May 18th.

Consistent with 40 C.F.R. 124.19(f)(2), Powertech contacted the Petitioner, and the Petitioner opposes this motion but will not be prejudiced by an extension, having not opposed the Region's requested stay. Powertech also contacted the Region, and they do not oppose this motion.

In conclusion, Powertech respectfully requests that the Board grant an extension of time to May 18, 2021 for Powertech to file its response to the Region's motion seeking a further stay of the proceedings before Board in this matter.

Respectfully submitted,

/s/ Robert F. Van Voorhees

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Dated: April 30, 2021

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Motion for Extension of Time to File Response Addressing the Region's Request for Further Stay* in the matter of Powertech (USA) Inc., UIC Appeal No. 20-01, were sent to the following persons in the manner indicated on April 30, 2021.

By Email:

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