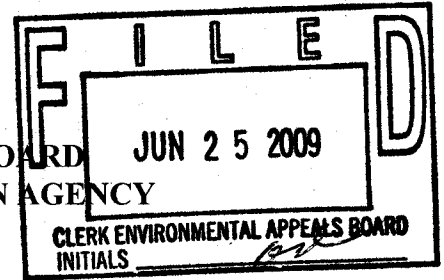


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:

Circle T Feedlot, Inc.,
Morgan Feedlot LLC,
Sebade Feedyard, &
Stanek Brothers

NPDES Permit Nos. NE0134481, NE0134767,
NE0135712, & NE0134775

NPDES Appeal Nos.
09-02 & 09-03

**ORDER GRANTING, IN PART, MOTION FOR EXTENSION OF TIME
TO FILE ADDENDUM**

On June 24, 2009, Petitioners Joel Lamplot and Teri Lamplot submitted a motion to the Environmental Appeals Board ("Board") requesting additional time in which to submit an addendum to their petitions for review. *See* Motion for Extension of Time to File Addendum and Request for Expedited Consideration ("Motion"). On June 17, 2009, the Board granted Petitioners' request to file an addendum discussing the applicability of a recent Supreme Court case, *Hawaii v. Office of Hawaiian Affairs*, 129 S. Ct. 1436 (2009), to this National Pollutant Discharge Elimination System ("NPDES") permit appeal on June 17, 2009. *See* Order Granting Motion Requesting Leave to File Addendum at 2. In the previous Order, the Board stated that such addendum must be postmarked by June 29, 2009.

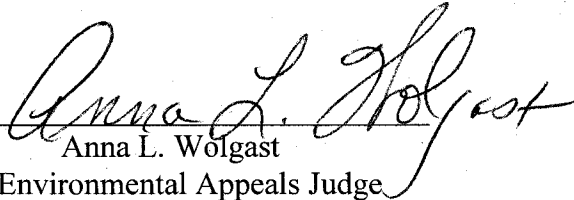
In their Motion, Petitioners request an additional 60 days in which to submit their addendum. Petitioners indicate that they received the Board's order on June 20, 2009, and that nine days is an inadequate amount of time for them to adequately prepare and submit the

addendum. Motion at 2. Petitioners further state that Ms. Lamplot spoke with EPA Region 7's counsel and that he does not object to Petitioners' motion. *Id.*

Based upon the foregoing, the Board grants, in part, Petitioners' request for additional time to file an addendum to their petitions discussing the applicability of the recent Supreme Court case to the present matter. The Board grants Petitioners an additional 30 days from the date they received the original order granting their request to file an addendum. Accordingly, Petitioners' addendum must be postmarked by July 20, 2009.¹

So ordered.

ENVIRONMENTAL APPEALS BOARD


Anna L. Wolgast
Environmental Appeals Judge

Date: June 25, 2009

¹ Because of mail delivery issues associated with this case, the Board has established a deadline based on the postmark date rather than relying on the Board's usual practice of setting deadlines based on the receipt date of documents.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Extension of Time for File Addendum in the matter of Circle T Feedlot, Inc., et al., NPDES Appeal Nos. 09-02 & 09-03 were sent to the following persons in the manner indicated:

By First Class Mail and Facsimile:

Joel Lamplot
President
Thurston County Farm Bureau
582 21st Road
Thurston, NE 68062
Fax: (402) 385-2452

Teri Lamplot
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Thurston, NE 68062
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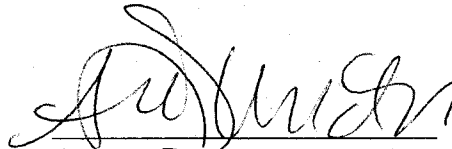
By Pouch Mail:

Chris Muehlberger
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Kansas City, KS 66101
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Dated: JUN 25 2009


Annette Duncan
Secretary