

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

In re:)	
)	
Penneco Environmental Solutions, LLC)	UIC Appeal No. 18-02
)	
Permit No. PAS2D701BALL)	
)	

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE RESPONSE

On May 1, 2018, the U.S. Environmental Protection Agency, Region 3 (“Region”) filed a motion for an extension of time to file its response brief, a certified index of the administrative record, and the relevant portions of the administrative record in this matter. Region III’s Motion for Extension of Time to File a Response (“Motion”). The Region requests a 14-day extension of time, to and including May 21, 2018. Motion at 3. The Region bases its request on the fact that it anticipated initiation of the Environmental Appeals Board’s Alternative Dispute Resolution (“ADR”) program and a stay of these proceedings for that ADR process. *Id.* at 2-3. That did not materialize, however, because a party subsequently decided not to participate in the ADR program. *Id.* The Region also explains that the requested extension “is required for the Region to fully review the record and prepare its response” to the petition. *Id.* at 3. The Region represents that Petitioner, the Borough of Plum, consents to the Region’s requested extension. The Region also represents that the permittee, Penneco Environmental Solutions, LLC (“Penneco”), does not object to the Region’s requested extension and that Penneco requests that the extension apply to any filing Penneco may make in this matter. *Id.*

Based on the foregoing, the Board GRANTS the Motion. The Region's responsive materials, *see* 40 C.F.R. § 124.19(b)(2), and Penneco's response to the petition, *see id.*

§ 124.19(b)(3), must be filed on or before **May 21, 2018**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: May 2, 2018

By: _____



Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting Motion for Extension of Time to File Response* in the matter of Penneco Environmental Solutions, LLC, UIC Appeal No. 18-02, were sent to the following persons in the manner indicated:

By First Class Mail:

Bruce E. Dice, Esq.
Bruce E. Dice & Assoc., P.C.
787 Pine Valley Drive, Suite E
Pittsburgh, PA 15239
(724) 733-3080
Counsel for Borough of Plum

Jean M. Mosites, Esq.
Varun Shekhar, Esq.
Babst, Calland, Clements & Zomnir, P.C.
603 Stanwix Street, Sixth Floor
Pittsburgh, PA 15222
(412) 394-6468 (JM)
(412) 394-5679 (VS)
Counsel for Penneco Environmental Solutions, LLC

By EPA Pouch Mail:

Douglas Frankenthaler
Assistant Regional Counsel
US Environmental Protection Agency Region 3
1650 Arch Street
Mail Code 3RC20
Philadelphia, PA 19103
(215) 814-2472
Counsel for US Environmental Protection Agency Region 3

Dated: **May 02 2018**



Annette Duncan
Administrative Specialist