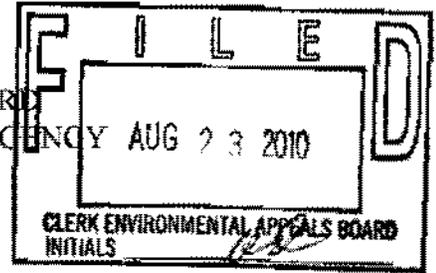


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



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In re: )  
)  
John A. Biewer Co. of Toledo, Inc. )  
Docket No. RCRA-05-02008-0006, )  
)  
and )  
)  
John A. Biewer Co. of Ohio, Inc. )  
Docket No. RCRA-05-02008-0007 )  
)

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RCRA Appeal Nos. 10-01 & 10-02

**ORDER GRANTING RESPONDENT'S MOTION  
FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF**

On May 21, 2010, Complainant filed corresponding notices of appeal and requests for extension of time to file appeal briefs in the two matters identified above, citing the complexity of the issues as the basis for the extension. The Board consolidated the appeals for administrative purposes and granted, in part, Complainant's motion. In accordance with that order, Complainant identified the issues on appeal by June 4, 2010, and filed its appeal brief by August 3, 2010. Respondent now seeks an extension of time to file its response brief. The motion is unopposed.

In its appeal brief, Complainant identifies six issues for review. The brief is 100 pages in length. Citing the breadth of the issues raised on appeal, Respondent states that it requires a 56-day extension of time, or until October 18, 2010, to file its response brief so that it may fully address the issues and arguments raised on appeal.

The Board may grant extensions of time for filing any document pursuant to 40 C.F.R. § 22.7(b) (authorizing extensions of time upon timely motion, for good cause shown, after consideration of prejudice to other parties, or upon the Board's own initiative). Having duly considered the motion and for good cause shown, the Board GRANTS, the Respondent's motion. Respondent has until October 18, 2010, to file its Response brief.<sup>1</sup>

So ordered.

Dated: 8/23/10

ENVIRONMENTAL APPEALS BOARD



Edward E. Reich  
Environmental Appeals Judge

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<sup>1</sup>Documents are considered "filed" on the date they are received by the Clerk of the Board. Filing may now be accomplished electronically pursuant to the Board's standing order of January 28, 2010 (for more information visit <http://www.epa.gov/eab>, click on "Standing Orders" on the sidebar), as well as by paper.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Respondent's Unopposed Motion for Extension of Time Within Which to File Response Brief, in the matters of John A. Biewer Co. of Toledo, RCRA Appeal No. 10-01, and John A. Biewer Co. of Ohio, RCRA Appeal No. 10-02, were sent to the following persons in the manner indicated:

**By Pouch Mail and FAX:**

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AUG 23 2010

Dated: \_\_\_\_\_

  
Annette Duncan