



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

_____)	
In re:)	
)	
Veolia ES Technical Solutions, LLC)	CAA Appeal No. 19-01
)	
Permit No. V-IL-1716300103-2014-10)	
)	
_____)	

ORDER GRANTING SECOND MOTION FOR EXTENSIONS OF TIME

On October 17, 2019, the Environmental Appeals Board (“Board”) issued an Order Returning Matter to the Regular Docket, Lifting Stay, and Establishing a Briefing Schedule. Among other things, that order established a deadline of November 18, 2019, for the filing of responses by Region 5 of the U.S. Environmental Protection Agency (“Region 5”) and by Veolia ES Technical Solutions (“Veolia”), and a deadline of December 3, 2019, for the filing of a reply or replies by American Bottom Conservancy to any responses filed in opposition to its petition.

On October 23, 2019, Region 5 filed an unopposed Motion for Extensions of Time. Region 5 requests a twenty-one day extension of time—from November 18, 2019, to December 9, 2019—for the filing of responses by the Region and Veolia. Similarly, Region 5 requests a twenty-one day extension of time—from December 3, 2019, to December 24, 2019—for the filing of any reply from American Bottom Conservancy. The Region states that it is requesting the extensions because the counsel assigned to this case will be on an international vacation from October 30 through November 17, 2019. The Region further states that it has consulted with counsel for Veolia and counsel for American Bottom Conservancy and with the appropriate offices within EPA Headquarters and that none opposes the motion.

Accordingly, based on the representations by Region 5 in its motion, the Board **GRANTS** the motion and establishes the revised briefing schedule as follows:

1. Responses from Region 5 and from Veolia must be filed on or before **December 9, 2019**. Both Region 5 and Veolia must include as attachments all documents cited in their responses.
2. In addition to filing a response, Region 5 must file with the Board a certified index of the entire administrative record for the Veolia permit decision no later than the date upon which it files its response. However, Region 5 is encouraged to file the index to the record, preferably electronically, as soon as feasible. Early filing of the certified index will enable the Board to begin prompt review of the administrative record and will facilitate Veolia's ability to cite to the record in its response.
3. To further assist the Board's resolution of this matter, American Bottom Conservancy may file a reply to any responses filed in opposition to its petition. Such replies must be filed on or before **December 24, 2019**.

The filing of all responses, replies, and motions in this matter shall take place in accordance with the Board's July 26, 2019 Order Granting Intervention, Establishing Briefing Schedule, and Specifying Filing Procedures.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: October 24, 2019

By: 

Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER GRANTING SECOND MOTION FOR EXTENSIONS OF TIME** in the matter of Veolia ES Technical Solutions, LLC, CAA Appeal No. 19-01, were sent to the following persons in the manner indicated:

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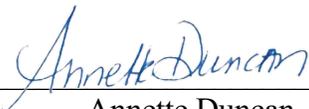
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Dated: October 24, 2019



Annette Duncan
Administrative Specialist