	ENVIRONMENTAL APPEALS NVIRONMENTAL PROTECT WASHINGTON, D.C.		SNCY	10 000	
In re:		ļU	FEB	1 9 2009	
VICO Construction Corporation & Amelia Venture Properties, LLC) CWA Appeal No	o. 08-0 <u>3</u>	Clerk, Environ INITIALS	mental Appeals B	pard
Docket No. CWA-03-2001-0021)))				

SECOND ORDER GRANTING REQUESTS FOR EXTENSION OF TIME TO FILE APPEAL AND REPLY BRIEFS

By uncontested motion filed with the Environmental Appeals Board ("Board") on February 17, 2009, VICO Construction Corporation and Amelia Venture Properties, LLC, (collectively "VICO/Amelia Venture") request an additional extension of time, from February 23, 2009 to March 27, 2009, to file their appeal brief in the above-captioned matter. Uncontested Motion for Extension of Time (Feb. 12, 2009) ("Motion"). The Motion states that the extension will allow the parties to continue their settlement negotiations, which include a written settlement proposal that VICO/Amelia Venture recently submitted to EPA for consideration and review by EPA, U.S. Army Corps of Engineers and the U.S. Department of Justice. VICO/Amelia Venture further state that a new principal attorney previously not involved in the matter now represents VICO/Amelia Venture and will be preparing the appeal brief due to the retirement of the former principal attorney. The new principal attorney will "require[] additional time to become familiar with the voluminous record" and the complex and technical nature of the case. *Id.* at 1-2.

In addition, VICO/Amelia Venture represent that U.S. EPA Region 3 ("Region") has requested an extension of time, until May 8, 2009, to file its reply brief in response to VICO/Amelia Venture's appeal brief. VICO/Amelia Venture state that neither party objects to its opposing party's request for additional time to file its brief on appeal. Id. at 3.

For good cause shown, the Board grants the parties' requests for an extension of time to file their briefs. Accordingly, VICO/Amelia Venture's appeal brief must now be filed with the Board no later than March 27, 2009, and the Region must file its reply brief with the Board no later than May 8, 2009.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: February 19, 2009

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Requests for Extension of Time to File Appeal and Reply Briefs in the matter of *VICO Construction Corporation and Amelia Venture Properties, LLC*, CWA Appeal No. 08-03 were sent to the following persons in the manner indicated:

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Date: FEB 1 9 2009

Mildu Joh Annette Duncan

Secretary