

F I L E D

Feb 11, 2021

Clerk, Environmental Appeals Board
 INITIALS

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

)	
In re:)	
Springfield Water & Sewer Commission)	NPDES Appeal No. 20-07
NPDES Permit No. MA0101613)	
)	

**ORDER AUTHORIZING FILING
 OF RESPONSE TO SURREPLY**

On February 9, 2021, the Environmental Appeals Board (“Board”) granted U.S. Environmental Protection Agency Region 1’s contested motion seeking leave to file a surreply.¹ On February 10, 2021, counsel for Springfield Water & Sewer Commission (“Commission”) contacted the Clerk of the Board via electronic mail, inquiring about the process to file a response to the Region’s surreply.

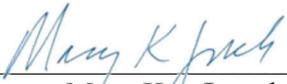
A request to file a surreply or other subsequent filings is generally made by motion. After considering the facts and circumstances presented here, the Board will not require the Commission to file a motion but will allow the Commission time to file a response to the Region’s surreply. Any such response must be filed with the Board on or before **Wednesday, February 17, 2021**. *See* 40 C.F.R. § 124.19(f), (o).

¹ In this motion, the Region did not indicate that the Springfield Water & Sewer Commission provided any reason for its opposition to the motion. The Board may act on a motion for a procedural order at any time without awaiting a response. 40 C.F.R. § 124.19(f)(6); *see also* 40 C.F.R. § 124.19(o).

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: Feb 11, 2021

By: 
Mary Kay Lynch
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing **Order Authorizing Filing of Response to Surreply** in the matter of *Springfield Water & Sewer Commission*, NPDES Appeal No. 20-07, were sent to the following persons in the manner indicated:

By Electronic Mail:

Attorneys for Springfield Water and Sewer Commission

Fredric P. Andes
Erika K. Powers
Ashley E. Parr
Barnes & Thornburg L.L.P.
One North Wacker Drive, Suite 4400
Chicago, IL 60647
(312) 357-1313
Fredric.Andes@btlaw.com
Erika.Powers@btlaw.com
Ashley.Parr@btlaw.com

Attorneys for EPA Region 1

Samir Bukhari
Michael Knapp
Kristen Scherb
U.S. Environmental Protection Agency
Office of Regional Counsel, Region 1
5 Post Office Square
Boston, MA 02109
(617) 918-1095
(617) 918-1053
(617) 918-1767
bukhari.samir@epa.gov
knapp.michael@epa.gov
scherb.kristen@epa.gov

Attorney for Save the Sound, Inc.

Roger Reynolds
Senior Legal Counsel
Save the Sound, Inc.
900 Chapel Street, Suite 2202
New Haven, CT 06510
(203) 787-0646 Ext. 105
rreynolds@savethesound.org

Pooja Parikh
Peter Ford
U.S. Environmental Protection Agency
Office of General Counsel, Water Law Office
1200 Pennsylvania Avenue, N.W.
Mail Code 2355A
Washington, DC 20460
(202) 564-0839
(202) 564-5593
parikh.pooja@epa.gov
ford.peter@epa.gov

Connecticut River Conservancy Representative

Andrea Donlon, River Steward
Connecticut River Conservancy
15 Bank Row
Greenfield, MA 01301
(413) 772-2020 Ext. 205
adonlon@ctriver.org

*Attorney for Connecticut Department of
Energy and Environmental Protection*

Scott N. Koschwitz
Assistant Attorney General
165 Capitol Avenue
Hartford, CT 06106
(860) 808-5250
scott.koschwitz@ct.gov

Dated: Feb 11, 2021



Eurika Durr
Clerk of the Board