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

In re:	Buckley Air Force Base Municipal Separate Storm Sewer System		
)	Appeal No. NPDES 13-07
NPDES Permit Number: CO-R042003)) _)	

SECOND MOTION FOR EXTENSION OF TIME TO RESPOND

The U. S. Environmental Protection Agency ("EPA") respectfully requests that the Environmental Appeals Board ("EAB" or "Board") grant a second extension of time until December 13, 2013, to file its response, including the certified index of the administrative record and the relevant parts of the administrative record, to the Petition for Review filed in the above-captioned matter by the U.S. Department of the Air Force ("Air Force"). Petitioner filed its Petition for Review on September 30, 2013, and a Certification of Identical Paper Copy Submission on October 18, 2013. EPA Region 8 filed an unopposed Motion for Extension of Time to file its response on October 24, 2013. The Board granted an extension of time until November 27, 2013, for EPA Region 8 to file its response.

EPA now seeks an additional sixteen (16) days to submit its response.

As the Region previously explained to the Board, the Petition raises a number of issues that concern several offices within the Agency requiring extensive coordination. Issues raised by the Petition are complex and have national implications. Accordingly, counsel for the Region is engaged in consultations with the Office of General Counsel, Office of Water, and Region 10, which is addressing similar issues in a similar permit appeal. The additional time is needed to complete the internal agency coordination process, and ensure a unified Agency response.

Counsel for EPA Region 8 contacted the Petitioner/Permittee on November 22, 2013, to inform them of the Region's intent to seek an extension of time until December 13, 2013. Kent Scott-Smith, counsel for the Air Force, stated that his client does not oppose the extension.

For the reasons set forth above, EPA respectfully requests the EAB grant the Region's Motion for Extension of Time to Respond and extend the deadline for the Region's response to the pending Petition for Review in the above-captioned matter until December 13, 2013.

Respectfully submitted,

11/22/13

Date

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Certificate of Service

I, Everett Volk, hereby certify that true and correct copies of the Second Motion for Extension of Time to Respond In re: Buckley Air Force Base Municipal Separate Storm Sewer System were served:

Via the EPA's E-Filing System to:

Clerk of the Board United States Environmental Protection Agency Environmental Appeals Board Colorado Building 1341 G Street, N.W. Suite 600 Washington, D.C. 20005

Via U.S. Mail to:

Jerald C. Thompson Kent I. Scott-Smith AFLOA/JACE 1500 West Perimeter Road, Suite 1500 Joint Base Andrews, MD 20762

11 22 13 Date

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