



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

September 14, 2007

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
Colorado Building
1341 G Street, NW, Suite 600
Washington, DC 20005

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ENVIR. APPEALS BOARD

Re: Service Oil, Appeal No. CWA 07-02

Dear Clerk of the Board:

Enclosed for filing is the original and five (5) copies of Complainant's Motion for Extension.

Sincerely,

A handwritten signature in black ink that reads "Everett E. Volk".

Everett E. Volk
Attorney

cc: Michael D. Nelson
John T. Shockley
Honorable Susan L. Biro
Tina Artemis
Wendy I. Silver
Mark A. Ryan

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

IN THE MATTER OF

SERVICE OIL, INC.,

Respondent.

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Appeal No. CWA 07-02

COMPLAINANT'S MOTION FOR EXTENSION

The U.S. Environmental Protection Agency ("Complainant") moves for an extension of time within which to respond to Respondent's Appeal Brief. Respondent's Brief has raised a number of issues, particularly with regard to the scope of the Agency's authority under Section 308 of the Clean Water Act, that concern several offices within EPA, including the Office of General Counsel and the Office of Civil Enforcement. Complainant will need additional time to consult with the appropriate people within these offices and coordinate its Response Brief.

Respondent's Appeal Brief was filed with the EAB on August 31, 2007. Pursuant to 40 C.F.R. §§ 22.7(c) and 22.30(a)(2), Complainant's Response Brief would be due on September 20, 2007. Complainant respectfully moves for an extension until October 26, 2007.

Complainant contacted Respondent's Counsel by email on September 13, 2007, to discuss this motion for extension and, at that time, Respondent's Counsel represented that Respondent did not object to the extension. Moreover, Complainant submits that such an extension will not cause prejudice to Respondent. In the absence of any prejudice to the Respondent, and for good cause as shown above, Complainant respectfully requests it be granted until October 26, 2007, to respond to Respondent's Appeal Brief.

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Respectfully submitted,

9/14/07
Date

Everett E. Volk for
WENDY I. SILVER
Senior Attorney

OF COUNSEL:

Everett E. Volk, Esq.
U.S. EPA
Office of Civil Enforcement
1200 Pennsylvania Ave., NW
Washington, DC 20460

CERTIFICATE OF SERVICE

I hereby certify that on the date below I served the original and copies of the attached Complainant's Motion for Extension as follows:

Original and 5 copies via
Hand Delivery:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
Colorado Building
1341 G Street, NW, Suite 600
Washington, DC 20005

Copy via First Class Mail:

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