

[Includes EPA's 1/12/17 responses]
BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

In re:

Ponderosa Compressor Station
Permit No: SMNSR-UO-002178-2015.002

Appeal No. NSR 16-2

JOINT MOTION FOR EXTENSION OF TIME

The United States Environmental Protection agency (EPA) Region 8 (Region) and Tesoro Logistics, LP – Rockies (TLLP) respectfully request the Environmental Appeals Board (Board) grant an extension until February 28, 2017 to the deadline for EPA to file its response, including the relevant parts of the administrative record and certified index, to the Petition for Review filed by TLLP for the Ponderosa Compressor Station permit. The extension will allow the parties to meet and discuss resolution of the issues appealed.

Background and Cause for Motion

1. On November 30, 2016, the Region, acting pursuant to its authority under 40 C.F.R. § 49.158, issued a final synthetic minor new source review permit to Tesoro Logistics - Rockies for the Ponderosa Compressor Station.

2. TLLP faxed this permit appeal to the Environmental Appeals Board on December 29, 2016; and delivered the appeal to the Board by Federal Express on December 30, 2016.

3. Based on email communications between the parties on January 10, 2017, the parties have agreed to meet and believe it is in their mutual interest to discuss resolution of the items listed and described in the appeal before proceeding with the appeal.

4. Due to competing workload demands, TLLP representatives are unable to have an initial meeting with the Region's representatives until the afternoon of January 17, 2017.

5. EPA's response to the petition appears to be due on January 20, 2017. 40 C.F.R. § 124.19(b)(1).

6. The parties believe they will be able to work through the issues without participating in the Board's Alternative Dispute Resolution Program ("ADR Program"); however, if the parties decide that participation in the ADR Program would be useful they will so notify the Board.

7. The parties agree that service will be made by electronic means. 40 C.F.R. § 124.19(i)(3).

8. For the reasons stated above, the parties believe that filing EPA's response before the parties have had a chance to thoroughly discuss the issues could result in an unnecessary expenditure of resources by the parties and the Board and, therefore, respectfully request the Board extend EPA's deadline until February 28, 2017, to allow the parties to properly explore resolution of the issues. In light of the joint motion to extend the deadlines, the Region does not intend to file a response to the petition and the associated administrative record index by what appears to be a deadline of January 20, 2017.

Respectfully submitted,



Sara L. Laumann

1/13/2017
Date

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January 13, 2017

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Date

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Joint Motion to extend the time for Proceedings of the Ponderosa Compressor Station permit were sent to the following persons in the manner indicated:

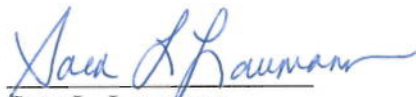
By Electronic Submission:

Clerk of the Board
U.S. EPA
Environmental Appeals Board
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