

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

|                              |   |                    |
|------------------------------|---|--------------------|
| In re:                       | ) |                    |
|                              | ) |                    |
|                              | ) | TSCA APPEAL (11)-5 |
| Willie P. Burrell and        | ) |                    |
| The Willie P. Burrell Trust, | ) |                    |
|                              | ) |                    |
| Respondents below,           | ) |                    |
|                              | ) |                    |
| Docket No. TSCA-05-2006-0012 | ) |                    |
|                              | ) |                    |
|                              | ) |                    |

**MOTION TO FILE REPLY BRIEF**

Appellants, Willie P. Burrell and The Willie P. Burrell Trust, by and thru their Representative, move to allow Appellants an opportunity to file a Reply Brief, and state as follows:

1. The EAB Practice manual does not specifically address the deadline for Appellee's Brief or any Reply Brief proposed by Appellants.
2. Appellants filed their Appellate Brief on February 1, 2012.
3. Appellee filed its Appellee's Brief on February 27, 2012.
4. Appellants anticipated Appellee's brief would be filed on or about Friday, March 2, 2012.
5. Appellants' Representative is out-of-state from Monday, February 27, 2012 until Sunday, March 4, 2012.

6. Appellants' Representative is unavailable from March 5-8 preparing for an unrelated legal matter.
7. Appellants' Representative requests thirty (30) days from March 9, 2012 in order to submit Appellants Reply Brief, or up to and including April 8, 2012.
8. Today is a week-end; as such Appellants are not able to determine whether the Appellee would object to such a motion.
9. This motion is not made for a vexatious purpose nor is it tendered to create unnecessary delay.

Wherefore, Appellants respectfully pray that they be allowed, up to and including April 8, 2012, in which to file a Reply Brief.

Respectfully submitted,

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Derek S. Burrell  
Representative for Appellants  
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Date

**CERTIFICATE OF SERVICE**

Appellants, Willie P. Burrell and The Willie Burrell Trust  
hereby certify that this **MOTION TO FILE REPLY BRIEF**, in the  
above-captioned matter was filed electronically with:

The Environmental Appeals Board  
[(Clerk of the Board) (Mail Code 1103B)]  
United States Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460,

and served upon the following, by U.S. Mail, postage pre-paid,  
this 3rd of March 2012, to:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Region 5  
Maria Gonzalez, Associate Regional Counsel  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

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