



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

January 22, 2008

U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board  
1341 G Street, N.W., Suite 600  
Washington, D.C. 20005

RECEIVED  
U.S. EPA.  
2008 JAN 23 PM 3:29  
ENVIR. APPEALS BOARD

Re: San Jacinto River Authority, Appeal No. NPDES 07-19

Dear Clerk of the Board:

Enclosed for filing is the original and five copies of Respondent's Second Unopposed Motion for Extension of Time to Submit a Response to Petitioner's Contentions.

Sincerely,

A handwritten signature in black ink, appearing to read "T. D. Gillespie".

Thomas David Gillespie  
Assistant Regional Counsel

cc: Lauren Kalisek, Esq. (attorney for San Jacinto River Authority)  
Pooja S. Parikh, Esq. (attorney for EPA Office of General Counsel)

2000 JAN 23 PM 3:30

ENVIR. APPEALS BOARD

Appeal No. NPDES 07-19

Permit No. TX0054186

The United States Environmental Protection Agency, Region 6 (Respondent) requests that the Environmental Appeals Board grant an additional twenty (20) day extension of time to the Respondent for submitting a response to the “Petition for Review of NPDES Permit Issued by Region 6 on September 28, 2007,” (Petition) filed by San Jacinto River Authority (Petitioner) on October 26, 2007, in the above-captioned matter. The extension would move the date by which EPA Region 6 must respond to the Petition from January 30, 2008, to February 19, 2008. Respondent seeks this additional time to enable Respondent to fully respond to the Petitioner’s fifty-nine (59) page petition and several hundred pages of exhibits of a highly technical nature. It will also provide Respondent sufficient time to coordinate with EPA national headquarters’ Office of General Counsel and Office of Water in the development of its response. After much work on its response, Respondent realized that additional time was needed for the reasons stated above.

Respondent has contacted the attorney for the Petitioner by phone and the attorney for the

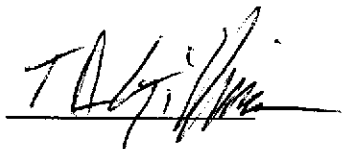
Petitioner indicated on the phone and through e-mail that Petitioner does not oppose this request for an extension (The e-mail is attached hereto and incorporated herein as Exhibit 1).

Therefore, Respondent has shown good cause, and there will be no prejudice to the Petitioner. *In the Matter of Gwinnett County Department of Public Utilities*, 1997 WL 737974, \*3 (EAB 1997) (motion for extension of time may be granted where the moving party shows good cause and there will be no prejudice to the non-moving party); *In re B & B Wrecking and Excavating, Inc.*, 4 E.A.D. 16 (EAB 1992) (same).

For the reasons set forth above, Respondent requests that the Environmental Appeals Board extend the date by which Respondent must file a response to the "Petition for Review of NPDES Permit Issued by Region 6 on September 28, 2007" by twenty (20) days, making the response due on February 19, 2008.

Respectfully submitted this 22nd day of January, 2008

United States Environmental Protection Agency, Region 6

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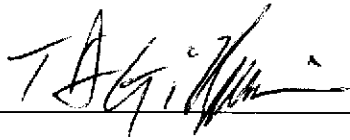
Thomas David Gillespie, Assistant Regional Counsel  
Office of Regional Counsel, EPA Region 6  
Arkansas Bar No. 96210

United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

cc: Pooja S. Parikh, Esq. (attorney for EPA Office of General Counsel)

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of January, 2008, copies of the foregoing were served upon Lauren Kalisek, attorney for the San Jacinto River Authority, and to the Clerk of the Board, Environmental Appeals Board, by FedEx delivery, properly addressed and with sufficient postage affixed thereto to ensure proper delivery.

A handwritten signature in black ink, appearing to read "T. Gillespie", is written over a horizontal line.

Thomas David Gillespie

MAILING LIST

VIA FEDEX

Lauren Kalisek, Esq.  
Loyd Gosselink Blevins Rochelle & Townsend, P.C.  
816 Congress Avenue, Suite 1900  
Austin, Texas 78701

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"Lauren Kalisek"  
<lkalisek@lglawfirm.com>

01/22/2008 01:26 PM

To David Gillespie/R6/USEPA/US@EPA

cc "Don Sarich" <don@sjra.net>, "Tojuana Cooper"  
<tcooper@sjra.net>, "Jace Houston" <jhouston@sjra.net>,  
"Angelina Villarreal" <avillarreal@lglawfirm.com>

bcc

Subject Extension of deadline for EAB response

David

As we discussed on the phone today, SJRA has no objection to an extension of the Region's deadline to respond to SJRA's petition to the EAB until February 19th.

Lauren Kalisek  
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To learn more about our Firm or the Water Practice Group, please visit our website at  
<http://www.LGLawFirm.com>

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