

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

In the matter of:)	
)	
)	
VEOLIA ES TECHNICAL)	Appeal No. CAA 19-01
SOLUTIONS, LLC)	
)	
)	
Permit No. V-IL-1716300103-2014-10)	
Docket No. EPA-R05-OAR-2014-0280)	

UNOPPOSED THIRD MOTION FOR EXTENSION OF TIME

Permittee Veolia ES Technical Solutions, L.L.C. (“Veolia”), by and through its undersigned counsel, respectfully requests that the Environmental Appeals Board (“EAB”) grant this Unopposed Third Motion for Extension of Time (“Unopposed Motion”) seeking an additional seven days for Veolia to file its Response to the American Bottom Conservancy’s (“ABC”) Petition for Review. The current deadline for Veolia to file its Response, under the EAB’s October 24, 2019 Order Granting Second Motion for Extensions of Time, is December 9, 2019. Veolia requests that its deadline be advanced to December 16, 2019 so that Veolia may provide uniform citations to the administrative record filed by Region 5 of the United States Environmental Protection (“Region 5”) and also ensure that its Response is not duplicative of Region 5’s Response.

As of the date of this Unopposed Motion, Region 5 has not yet filed a certified index of the administrative record for Veolia’s Title V permit. Without a brief extension to review the record filed by Region on or before December 9, 2019, Veolia will not be able to provide the EAB with uniform citations such that both Responses may be efficiently reviewed. Additionally, Veolia desires to avoid duplicating arguments made by Region 5 so that Veolia provides the

EAB with focused arguments from the perspective of the permittee. If the requested extension is granted, Veolia has no objection to ABC requesting additional time, if desired, to reply to Veolia's Response.

Veolia represents that counsel for ABC and counsel for Region 5 do not oppose this motion. Counsel for Region 5 represented to Veolia that Region 5 consulted with EPA's Office of General Counsel and Office of Air and Radiation, which also do not oppose the motion.

WHEREFORE, Veolia respectfully requests that the EAB grant Veolia's Unopposed Motion and enter an order extending the filing deadline to December 16, 2019 for Veolia to file its Response to ABC's Petition for Review.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2019, the foregoing was filed electronically with the Clerk of the Environmental Appeals Board using the EAB eFiling System, and is also being served via U.S. Mail in hard copy on the following:

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