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

In the Matter of: : TSCA Appeal No. 06-(01)

Environmental Protection Services, Inc. :
P.O. Box 710 :
Wheeling, WV 26003-0091, : U.S. EPA, Region III's
: Motion to Extend Time for Filing Response
: Brief

Appellant. :

Docket No. TSCA -03-2001-0331

4 Industrial Park Drive :
Wheeling, WV 26003, : MAY 16 2006

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U.S. EPA, Region III's Motion to Extend Time for Filing Its Response Brief

The U.S. Environmental Protection Agency, Region III, (the "Region") respectfully requests an extension of time for filing its response brief in the above-captioned matter until July 3, 2006. Counsel for the Region received Appellant's brief on May 15, 2006.

Appellant's brief contains 153 pages of argument as well as a 39-page section styled as an "appendix" which sets forth 59 "errors" which may or may not be addressed in the main brief. Accordingly, Region III believes that analyzing and preparing its response to the brief will require until approximately July 3, 2006, which is a reasonable and appropriate extension in light of the length and scope of Appellant's brief.

Respectfully submitted,

Cheryl Lynn Jamieson

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Counsel for Appellee

U.S. Environmental Protection Agency

Region III

BEFORE THE ENVIRONMENTAL APPEALS BOARD
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In Re:

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4 Industrial Park Drive :
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Appellant. : MAY 16 2006

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on the date provided below, I served the *U.S. Environmental Protection Agency, Region III's Motion for an Extension of Time to File Response Brief* in the above-captioned matter on the following persons in the manner set forth below:

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US EPA Region III
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Via Fedex:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
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U.S. Environmental Protection Agency
Region II
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New York, New York 10007
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Date

5/16/06


Cheryl Lynn Jamieson
Senior Assistant Regional Counsel
U.S. EPA - Region III

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6 Special Handling

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at FedEx Location

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No

Yes

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Recipient

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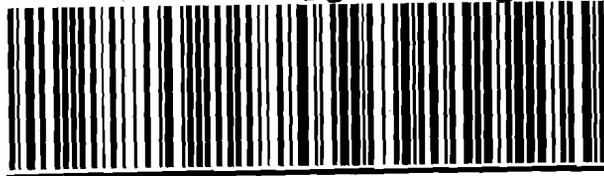
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