



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)	
)	
State of Alaska Department of)	Docket No. CWA-10-2024-0154
Transportation and Public Facilities,)	
)	
Respondent.)	

ORDER ON EPA MOTION FOR ADDITIONAL EXTENSION OF TIME

On March 3, 2025, the parties filed timely cross motions for accelerated decision. See Complainant's Mot. for Accelerated Decision; Resp't's Mot. for Accelerated Decision. Two days later, at the parties' request, I extended their deadlines for filing response and reply briefs by roughly two weeks to April 2, 2025 and April 22, 2025, respectively, due to the parties' need to engage "multiple levels of management regarding the substance and nature of the content of their briefs." See Joint Mot. for Extensions to Deadlines to File Resps. and Replies to Mots. for Accelerated Decision (Mar. 4, 2025) at 2; Order on Joint Mot. for Add'l Extension of Time (Mar. 5, 2025).

Subsequently, the parties submitted a joint request for more time, stating that the EPA "needs an additional sixty (60) days to coordinate and brief new administration officials about the issues raised in this case prior to filing a response to Respondent's Motion for Accelerated Decision and a reply to Respondent's response to the EPA's Motion for Accelerated Decision." Joint Mot. for Add'l Extension to Deadlines to File Resps. and Replies to Mots. for Accelerated Decision (Mar. 27, 2025). I granted that request, setting deadlines for response and reply briefs for June 2 and June 23, 2025, respectively. Order on Joint Mot. for Add'l Extension of Time (Mar. 31, 2025).

Now before me is EPA's request for an additional 90-day extension of the response and reply brief deadlines for the cross motions for accelerated decision. Complainant's Mot. for Add'l Extensions to Deadlines to File Resps. and Replies to Mots. for Accelerated Decision (May 22, 2025) ("Motion"). EPA's stated justification is nearly identical to that of the parties' last extension request: "The EPA needs an additional ninety (90) days to continue to coordinate and brief new administration officials about the issues raised in this case" prior to filing response and reply briefs. Mot. at 1-2. According to the Agency, Respondent does not oppose the request. Mot. at 2.

Under the rules governing this proceeding, this Tribunal "may grant an extension of time for filing any document: upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties; or upon its own initiative." 40

C.F.R. § 22.7. Given the several prior extensions provided in this case,¹ and EPA's simple repetition in the pending Motion of its broadly asserted need to brief new administration officials, I do not find that EPA has at this time presented good cause for extending until late September briefing deadlines that would originally have expired in March and April.

Accordingly, the Motion is **DENIED**. If EPA still desires more time to file its briefs, it may resubmit its request and state with greater specificity why more time is needed and why the previous 60-day extension was insufficient to accomplish the task of briefing new administration officials.

SO ORDERED.



Michael B. Wright
Administrative Law Judge

Dated: May 23, 2025
Washington, D.C.

¹ In addition to extensions listed above, Respondent was also granted additional time to file its Prehearing Exchange. See Order on Resp't's Mot. for Extension of Time (Dec. 19, 2024).

In the Matter of *State of Alaska Department of Transportation and Public Facilities*,
Respondent.

Docket No. CWA-10-2024-0154

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on EPA Motion for Additional Extension of Time**, dated May 23, 2025, and issued by Administrative Law Judge Michael B. Wright, was sent this day to the following parties in the manner indicated below.



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U.S. Environmental Protection Agency

Office of Administrative Law Judges

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Dated: May 23, 2025

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