

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)	Docket No. CWA-10-2024-0154
STATE OF ALASKA, DEPARTMENT)	RESPONDENT’S UNOPPOSED
OF TRANSPORTATION AND)	MOTION FOR EXTENSION OF TIME
PUBLIC FACILITIES,)	
Juneau, Alaska.)	
Respondent.)	
)	

Respondent, State of Alaska, Department of Transportation & Public Facilities (“DOT&PF”) hereby moves for a two-week extension to file its prehearing exchanges pursuant to 40 CFR 22.7(b) and 22.16(a). Per the Prehearing Order dated October 24, 2024, Respondent’s prehearing exchange of documents is currently due on January 3, 2025 and Complainant’s rebuttal exchange is due January 17, 2025. DOT&PF proposes that Respondent’s prehearing exchange should be moved to January 17, 2025, and that Complainant’s rebuttal exchange should receive a similar extension to January 31, 2025.

Counsel for DOT&PF and EPA have conferred, and EPA does not oppose the proposed two-week extension that both parties will receive.

Good cause exists for the requested extension. The winter holidays are occurring during the time period within which DOT&PF must prepare its prehearing exchange. As a result, several members of both DOT&PF and the Alaska Department of Law are on leave or will be on leave in the coming weeks. A number of DOT&PF personnel who are relevant to this litigation are also traveling out of state presently to either care for sick family members or, in one case, to attend a funeral. An unexpected lack of childcare due

to sickness and daycare closures has also caused some delay. Consequently, it has been difficult or impossible to coordinate with relevant agency personnel regarding the production of documents and to jointly analyze the materials disclosed in EPA's prehearing exchange, which amount to over 1,200 pages of documents to review. Counsel for DOT&PF is also burdened with a number of unrelated ongoing State court litigation and federal administrative appeals that have had major deadlines occurring during this period as well.

Accordingly, for the reasons stated above, DOT&PF requests a two-week extension for the prehearing exchange deadlines for both parties.

Dated December 18, 2024.

By: /s/ Brian E. Gregg
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BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)	Docket No. CWA-10-2024-0154
STATE OF ALASKA, DEPARTMENT)	CERTIFICATE OF SERVICE
OF TRANSPORTATION AND)	
PUBLIC FACILITIES,)	
Juneau, Alaska.)	
Respondent.)	

The undersigned certifies that the original RESPONDENT’S
UNOPPOSED MOTION FOR EXTENSION OF TIME in the above-captioned action
was filed with the OALJ E-Filing System to:

Mary Angeles, Headquarters Hearing Clerk
Office of Administrative Law Judges
U.S. Environmental Protection Agency
[https://yosemite.epa.gov/OA/EAB/EAB-
ALJ_Upload.nsf](https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf)

Further the undersigned certifies that a true and correct copy of the original
RESPONDENT’S UNOPPOSED MOTION FOR EXTENSION OF TIME was served
on Complainant United States Environmental Protection Agency via email to:

Patrick Johnson
johnson.patrick@epa.gov

Dated this 18th day of December, 2024.

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