



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

In re Wabash Carbon Services, LLC
Permit Nos. IN-165-6A-0001 (Vermillion)
and IN-167-6A-0001 (Vigo)
UIC Appeal No. 24-01

ORDER EXTENDING LIMIT ON LENGTH OF REGION'S RESPONSE BRIEF

On February 22, 2024, Andrew Lenderman, Ben Lenderman, Floyd Lenderman, and Jessie Lenderman filed a petition for review of two Class VI underground injection control permits issued by U.S. Environmental Protection Agency Region 5 to Wabash Carbon Services, LLC. Permittee Wabash Carbon Services, LLC filed a response to the petition on April 22, 2024. In response to two motions filed by the Region, the Board extended the time for the Region to file its response, certified index, and relevant portions of the administrative record until May 10, 2024. Order Granting Second Extension of Time 1-2 (Apr. 23, 2024).


The Region now moves for an extension of the 14,000-word limit for response briefs under 40 C.F.R. § 124.19(d)(3). Motion for Extension of Word/Page Limit 1 (May 2, 2024). In support of its Motion, the Region points to its need to respond to the numerous and "highly technical" requirements challenged by the petition and the "extent of the administrative record." Id. at 1-2. The Region indicates that it consulted with counsel for the Petitioners and the Permittee and that none of the parties object to or oppose the Motion.

Based on the representations in the Motion and circumstances presented, the Board **GRANTS** the Motion. *See* 40 C.F.R. § 124.19(d)(3), (f)(6), (n). The Region may use up to 22,000 words in its response brief.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: May 3, 2024

By: 

Ammie Roseman-Orr
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Extending Limit on Length of Region's Response Brief* in the matter of Wabash Carbon Services, LLC, UIC Appeal No. 24-01, were sent to the following persons in the manner indicated:

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Dated: May 03, 2024

Emilio Cortes

Emilio Cortes
Clerk of the Board