



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

In re US Wind Inc. (for the Maryland
Offshore Wind Project)

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) OCS Appeal No. 25-01
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Maryland Permit-to-Construct No. 047-
0248; PSD Approval No. PSD-2024-01;
NSR Approval No. NSR-2024-01

ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME

Petitioners Ocean City, Maryland, and Worcester County, Maryland filed a petition for review with the Environmental Appeals Board challenging the Maryland Department of the Environment’s (“MDE”) June 6, 2025, “Final Determination Concerning a Permit-to-Construct, PSD Approval, and NSR Approval Application Submitted by US Wind, Inc. for the Construction and Commissioning of the Maryland Wind Offshore Project.” Subsequently, MDE and US Wind each filed responses. On August 4, 2025, the Board issued an Order Regarding Briefing Schedule, which ordered Petitioners to file a brief, and EPA Region 3 and Office of General Counsel (“OGC”) to file a joint brief, responding to MDE’s and US Wind’s arguments about the Board’s jurisdiction on or before Monday, August 18, 2025. EPA Region 3 and OGC now seek a one-week extension of that deadline. Unopposed Motion for Extension of Time, at 1 (Aug. 7, 2025). For the reasons set forth below, the Board grants the motion.

In support of the motion, Region 3 and OGC state that several key staff and managers in Region 3 and OGC were either on approved leave or scheduled to be on approved leave through August 18, 2025. *Id.* at 2. Region 3 and OGC state that they conferred with counsel for

Petitioners, MDE, and US Wind and that none of the other parties object to the granting of the extension provided the deadline for Petitioner's brief is likewise extended to August 25, 2025, and the deadline for US Wind's reply brief has a corresponding extension of time. *Id.*


Based on Region 3's and OGC's representations, the Board hereby GRANTS the motion. *See* 40 C.F.R. § 124.19(n). Petitioners, Region 3, and OGC must file their response briefs limited to responding to MDE's and US Wind's arguments about the Board's jurisdiction on or before **Monday, August 25, 2025**. MDE and US Wind will have 10 days after service of the responses to file replies addressing jurisdiction. *See* 40 C.F.R. § 124.19(f)(4).

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: August 8, 2025

By: _____


Mary Kay Lynch
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting Unopposed Motion for Extension of Time* in the matter of US Wind Inc. (for the Maryland Offshore Wind Project), OCS Appeal No. 25-01, were sent to the following persons in the manner indicated:

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Dated: Aug 08, 2025

Tommie Madison

Tommie Madison
Clerk of the Board