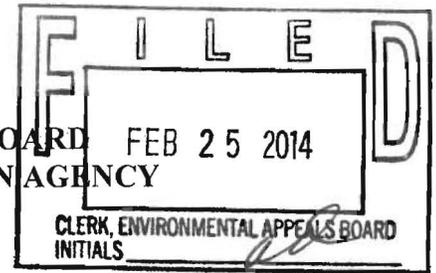


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____))
In re:))
Seneca Resources Corp.) UIC Appeal No. 14-01
))
UIC Permit No. PAS2D025BELK))
_____))

ORDER GRANTING IN PART MOTION FOR EXTENSION OF TIME

The above-captioned matter concerns the January 28, 2014 decision by U.S. Environmental Protection Agency (EPA) Region 3 (Region) to issue Underground Injection Control (UIC) permit number PAS2D025BELK to Seneca Resources Corp. (Seneca) for a class II injection well. On February 4, 2014, Judith E. Hudson filed a petition for review of the permit decision. By motion filed February 24, 2014, the Region requested an extension of time to file its response to Ms. Hudson’s petition, a certified index of the administrative record, and relevant portions of the administration record. *See generally* Region III’s Motion for Extension of Time to File a Response (Motion). Without an extension, the Region’s response is due thirty days after the petition was filed, March 6, 2014.

Ms. Hudson’s petition appears to have been filed well before the March 3, 2014 petition deadline,¹ and the Region believes that due to the number of comments received, there is

¹ A petition for review must be filed within thirty days after the Regional Administrator service notice of a final UIC permit decision, 40 C.F.R. § 124.19(a)(3), and where, as here, the permit was served by mail, an additional three days is added to the prescribed time, *id.* § 124.20(d). *See* Motion at 2 (“[The Region sent by U.S. Postal Service and electronic mail the Notice of Final Permit and the Response to Summary Comments to each person who submitted

“extensive interest” in the permit and that “other petitions might be filed” closer to the deadline. Motion at 1-2 (stating that the Region received over 2,500 comments). The Region seeks the extension of time in anticipation that additional petitions will be filed. So as to avoid duplication and unnecessary expenditure of resources, the Region requests an extension until April 7, 2014, which is based on the Region’s calculation of the last day a petition for review of the Seneca permit may be timely filed. Motion at 3. The Region was unable to determine whether Ms. Hudson opposes this motion because she did not provide telephone or email contact information.

For reasons of judicial economy and for good cause shown, the Region’s motion is granted in part. Thirty days after the March 3, 2014 petition filing deadline is April 2, 2014, not April 7, 2014 as the Region calculated. 40 C.F.R. § 124.19(b)(2). Therefore, the Region’s response to Ms. Hudson’s petition and any additional petition filed in this matter, along with the certified index of the administrative record and relevant portions of the administrative record, must be filed with the Environmental Appeals Board no later than April 2, 2014.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: February 25, 2014



Kathie A. Stein
Environmental Appeals Judge

comments on the draft permit.”).

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting in Part Motion for Extension of Time in the matter of *Seneca Resources Corp.*, UIC Appeal No. 14-01, were sent to the following persons in the manner indicated:

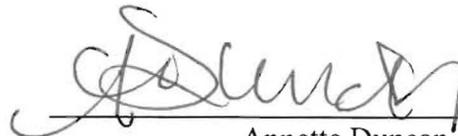
By U.S. First Class Mail:

Judith E. Hudson
539 Hacker Street
Kane, PA 16735

By EPA Pouch Mail:

Nina Rivera
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 3
1650 Arch Street
Philadelphia, PA 19103

Date: FEB 25 2014

A handwritten signature in cursive script, appearing to read "Annette Duncan", is written over a horizontal line.

Annette Duncan
Secretary