

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

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In re Michigan Potash Operating, LLC)	
)	UIC Appeal No. 25-02
Permit Nos. MI-133-1I-0004, MI-133-1I-)	
0005, MI-133-1I-0006, MI- 133-1I-0007,)	
MI-133-1I-0009, and MI-107-1I-0005)	
)	

ORDER PARTIALLY GRANTING EXTENSION OF TIME

On June 16, 2025, Michigan Citizens for Water Conservation petitioned the Board for review of several Class I underground injection control (“UIC”) permits issued by EPA Region 5 to Michigan Potash, LLC. EPA Region 5 has filed a motion requesting an extension of time to file the “certified index to the administrative record and relevant portions of the administrative record as well as the Region’s response to the Petition for Review.” Unopposed Motion for Extension of Time 1 (July 15, 2025) (“Motion”). The Region requests an extension of time until August 20, 2025. *Id.* The Region represents that neither counsel for the Petitioner nor the Permittee oppose the motion. *Id.* at 2.

In support of the motion, the Region states that “preparation of the Region’s response requires close consultation and coordination between the Region and the EPA Offices of Water and General Counsel in Headquarters” and “[t]he coordination among these offices has begun and is continuing.” *Id.* at 1. The Region also states that the extension “is necessary to ensure that the Region’s response reflects full deliberation, which includes considering the requirements of Executive Order 14241.” *Id.* Finally, the Region represents that the current deadline “falls during already-scheduled vacations for some employees, including counsel for the Region,”

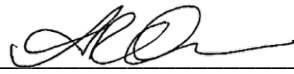
which “will make it difficult to submit to the Board a response and administrative record” by the deadline. *Id.* at 2.

Based on the representations in the Motion, and pursuant to 40 C.F.R. § 124.19(n), the Board **GRANTS** an extension of time to the Region to file its response brief and relevant portions of the administrative record. The Region’s response brief, and the relevant portions of the administrative record must be filed on or before **August 20, 2025**. Pursuant to 40 C.F.R. § 124.18(c), the administrative record is complete on the date the final permit is issued. As such, the Region is not afforded the requested extension as to the deadline for filing the certified index to the administrative record. The Region must file the certified index to the administrative record as soon as practicable and no later than **July 30, 2025**. This will enable the Board to begin review of the administrative record. The deadline for filing any other response brief permitted under 40 C.F.R. § 124.19(b) is also extended to **August 20, 2025**.

So ordered.

Dated: July 16, 2025

ENVIRONMENTAL APPEALS BOARD

By: 
Ammie Roseman-Orr
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Partially Granting Extension of Time* in the matter of Michigan Potash Operating, LLC, UIC Appeal No. 25-02, were sent to the following persons in the manner indicated:

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Dated: Jul 16, 2025

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