

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

	)	
In re:	)	
	)	
Harvest Four Corners, LLC	)	CAA Appeal No. 24-09
	)	
Permit No. R6FOP-NM-04-R3-	)	
2023	)	

JOINT MOTION FOR DISMISSAL AND STATUS REPORT

Permittee Harvest Four Corners, LLC (“Harvest”) and Region 6 of the United States Environmental Protection Agency (“USEPA”) (the “Parties”), by and through their undersigned attorneys, respectfully move the Environmental Appeals Board (“EAB” or the “Board”) to dismiss the Petition for Review as moot given USEPA’s final action to reopen and revise the Title V permit to remove the contested permit conditions that are the subject of this appeal. In support of their motion for dismissal, the parties state the following:

1. On July 29, 2024, Harvest filed a Petition for Review appealing USEPA’s final Title V renewal permit for the Los Mestenos Compressor Station (“Facility”), which USEPA issued on June 28, 2024. Oral argument was scheduled for November 21, 2024.
2. On November 13, 2024, the Parties requested that the appeal be held in abeyance and oral argument be postponed while the Parties continued settlement discussions related to the final Title V renewal permit for the Facility. On November 15, 2024, the Board issued the Order Granting Joint Motion for Abeyance and Cancelling Oral Argument. Since that time, the Board has granted several extensions to the abeyance while the Parties continued settlement discussions.
3. Pursuant to these settlement discussions, USEPA agreed to reopen and revise the Title V renewal permit to remove the contested provisions utilizing its authority under 40 C.F.R. § 71.7(f).

On August 4, 2025, USEPA notified Harvest of its intent to reopen the Title V renewal permit. On September 4, 2025, USEPA issued public notice requesting public comment on the draft *reopened for cause* Title V renewal permit for the Facility. There were no requests for public hearing and no written comments received during the public comment period. On October 20, 2025, USEPA made a final decision in accordance with 40 C.F.R. § 71.7 and 40 C.F.R. § 124 to issue the final Title V renewal permit to Harvest for the Facility. Since no comments were received on the reopened for cause permit during the public comment period, the final Title V permit for the Facility became effective immediately upon issuance. *See* 40 C.F.R. § 71.11(i)(2)(iii).

4. Because the USEPA revised and issued the Title V renewal permit to remove the contested provisions that were the subject of this appeal, the matter is now moot and the Parties move to dismiss the Petition for Review.

WHEREFORE, the Parties respectfully request the EAB grant this Motion and dismiss the Petition for Review.

Respectfully Submitted,

/s/ Aaron B. Tucker

Aaron B. Tucker
Holland & Hart LLP
555 17th Street, Suite 3200
Denver, CO 80202
(303) 295-8369
abtucker@hollandhart.com

Emily C. Schilling
Sydney J. Sell
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, UT 84101
(801) 799-5753
ecschilling@hollandhart.com
sjsell@hollandhart.com

Attorneys for Harvest Four Corners, LLC

/s/ Pegga Mosavi-Hecht

William B. Puplampu
Office of Regional Counsel, Region 6
U.S. Environmental Protection Agency
1201 Elm Street, Suite 500 (R6-ORC)
Dallas, TX 75270
214-665-8591
Puplampu.William@epa.gov

Pegga Mosavi-Hecht
Office of Regional Counsel, Region 6
U.S. Environmental Protection Agency
1201 Elm Street, Suite 500 (R6-ORC)
Dallas, TX 75270
214-665-3190
mosavihecht.pegga@epa.gov

Attorneys for U.S. Environmental Protection Agency

Date: November 5, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Parties' Joint Motion for Dismissal and Status Report was electronically filed with the Clerk of the Environmental Appeals Board and served by electronic mail to the following persons, the 5th day of November, 2025:

Emilio Cortes
U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
1200 Pennsylvania Ave., NW
Washington, D.C. 20460
Via EAB eFiling System

William B. Puplampu
Office of Regional Counsel, Region 6
U.S. Environmental Protection Agency
1201 Elm Street, Suite 500 (R6-ORC)
Dallas, TX 75270
214-665-8591
Puplampu.William@epa.gov
Via Electronic Mail

Pegga Mosavi-Hecht
Office of Regional Counsel, Region 6
U.S. Environmental Protection Agency
1201 Elm Street, Suite 500 (R6-ORC)
Dallas, TX 75270
214-665-3190
mosavihecht.pegga@epa.gov
Via Electronic Mail

/s/ Aaron B. Tucker

Aaron B. Tucker