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

In Re:	:	
	:	
	:	Permit Appeal
Penneco Environmental Solutions, LLC	:	UIC 23-01
	:	
	:	
UIC Permit No. PAS2D702BALL	:	
	:	
	:	

MOTION FOR CONSOLIDATION OF APPEALS

On October 26, 2023, Protect PT and Three Rivers Waterkeeper filed a petition for review of a UIC Permit issued by Region 3 to Penneco Environmental Solutions, LLC (hereafter First Petition). On February 28, 2024, the Board issued an Order Denying Motion to Dismiss that extended to April 8, 2024, the time to file an of appeal of the Permit. On April 8, 2024, Patricia B. Carr, PhD, and Matthew Kelso filed a petition appealing the Permit (hereafter Second Petition).

Both Petitions raise substantially the same issues about Region 3's issuance of the same permit. Therefore, in the interests of preserving scarce administrative decision-making resources and promoting efficiency, the Region requests that the Board consolidate its review of the two Petitions. *See In re Berry Petroleum Co.,* 16 E.A.D. 263, 265 n.1 (EAB 2013).

The Region intends to file its Response to the First Petition by April 15, 2024, as required the Board's February 28 Order. The Region will file its Response to the Second Petition in compliance with time and word limitations in 40 C.F.R. §§ 124.19(b) and (d).

I have contacted counsel for both the Petitioners and the Permittee. They have expressed their agreement with consolidation of the Appeals.

Respectfully submitted,
/s/ Philip Yeany

(*signed per Revised EAB Order re: Electronic Filing in non-Part 22 Proceedings, 8/12/13*)
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