

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

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In re Powertech (USA) Inc.)	UIC Appeal No. 20-01
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Permit Nos. SD31231-00000 & SD52173-)	
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**ORDER GRANTING POWERTECH'S
 UNOPPOSED MOTION TO RESET ORAL ARGUMENT**

On November 29, 2023, the Environmental Appeals Board issued an order in the above-captioned matter granting Petitioner Oglala Sioux Tribe's unopposed motion to amend the briefing and oral argument schedule. Order Granting Unopposed Motion to Amend Briefing and Oral Argument Schedule (Nov. 29, 2023); Tribe's Unopposed Motion to Amend Briefing and Oral Argument Schedule 1 (Nov. 22, 2023). The order established February 27, 2024, as the date for oral argument on the remaining issues for Board resolution. Order Granting Unopposed Motion to Amend Briefing and Oral Argument Schedule at 2.

On December 4, 2023, Permittee Powertech (USA) Inc. filed an unopposed motion to reset the oral argument date. The motion explains that "counsel for Powertech failed to recognize and to communicate to counsel for the other parties that some of the dates identified as acceptable for oral argument in [the Tribe's] motion would present conflicts for Powertech's lead underground injection control (UIC) counsel, including the date selected by the Board." Powertech's Unopposed Motion to Reset Oral Argument 2 (Dec. 4, 2023). The motion requests "that the date for oral argument be reset to a date [between] February 20 to February 23, 2024, or March 7 to 22, 2024, as the Board may prefer." *Id.*

Based on the representations in Powertech's motion, the Board **GRANTS** the motion. *See* 40 C.F.R. § 124.19(f)(6), (n). Oral argument will be held on **Thursday, March 14, 2024**, beginning at **1:30 p.m. Eastern Time**. The time allocated and order of presentation remain as set forth in the November 16, 2023 Order Scheduling Briefing and Oral Argument. An order addressing the logistics for oral argument will follow in January 2024.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 12/11/2023

By: Wendy L. Blake
Wendy L. Blake
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting Powertech's Unopposed Motion to Reset Oral Argument* in the matter of Powertech (USA) Inc., UIC Appeal No. 20-01, were sent to the following persons in the manner indicated.

By Email:

Attorneys for Petitioner

Jeffrey C. Parsons, Senior Attorney
Roger Flynn, Managing Attorney
Western Mining Action Project
P.O. Box 349
Lyons, Colorado 80540
(303) 823-5738
wmap@igc.org

Travis E. Stills, Managing Attorney
Energy & Conservation Law
227 E. 14th Street, #201
Durango, Colorado 81301
(970) 375-9231
stills@eclawoffice.org

Attorney for Amicus Curiae Great Plains Tribal Water Alliance, Inc.

Peter Capossela, PC, Attorney at Law
P.O. Box 10643
Eugene, Oregon 97440
(541) 505-4883
pcapossela@nu-world.com

Attorneys for Powertech (USA) Inc.

Robert F. Van Voorhees
Van Voorhees PLLC
1155 F Street, NW, Suite 700
Washington, D.C. 20004-1357
(202) 365-3277
bob.vanvoorhees@gmail.com

Jason A. Hill
Hunton Andrews Kurth LLP
600 Travis Street, Suite 4200
Houston, Texas 77002
(713) 220-4510
hillj@huntonak.com

Kerry McGrath
Hunton Andrews Kurth LLP
2200 Pennsylvania Avenue, NW
Washington, D.C. 20037
(202) 955-1519
KMcGrath@huntonak.com

Attorneys for EPA

Lucita Chin, Senior Assistant Regional Counsel
Michael Boydston, Senior Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Mail Codes: 8ORC-LC-M, 8ORC-LC-G
Denver, Colorado 80202
(303) 312-7832
chin.lucita@epa.gov
boydston.michael@epa.gov

Katie Spidalieri, Attorney-Advisor
Water Law Office, Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-4138
spidalieri.katie@epa.gov

Dated: Dec 11, 2023

Annette Duncan

Annette Duncan
Administrative Specialist