



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

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In re Harvest Four Corners, LLC )

Permit No. R6FOP-NM-04-R3-2023 )  
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\_\_\_\_\_) )

CAA Appeal No. 24-09

**THIRD ORDER GRANTING JOINT MOTION TO EXTEND ABEYANCE**

Harvest Four Corners, LLC petitioned for review of a Clean Air Act Title V operating permit issued to Harvest by Region 6 of the U.S. Environmental Protection Agency. At the request of the parties, the Board has held the matter in abeyance since November 15, 2024, to allow settlement discussions to proceed. On May 19, 2025, the parties reported that EPA had agreed to revise the permit and needed additional time to reopen and revise the permit. Second Joint Status Report and Motion to Extend Abeyance, at 2 (May 19, 2025). The parties now report that “EPA prepared a revised draft permit removing the contested permit conditions [and that] EPA sent Harvest a ‘Notice of Intent’ letter, providing Harvest with thirty days’ notice \* \* \* that EPA intends to reopen certain portions of the Title V Permit for cause.” Third Joint Status Report and Motion to Extend Abeyance, at 2 (Aug. 15, 2025). The parties jointly request an additional ninety-day extension of the abeyance and agree to provide a status update to the Board within ninety days of a Board order extending the abeyance. *Id.*


Based upon the representations of the parties and in accordance with 40 C.F.R. § 124.19(n), the Board hereby **GRANTS** the Motion and continues to hold the case in abeyance. On or before **Monday, November 17, 2025**, the parties shall file a Joint Status Report notifying

the Board of the status of the permit revision. The Joint Status Report shall include the parties' proposal for further proceedings in this matter.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: August 19, 2025

By:   
Aaron P. Avila  
Environmental Appeals Judge

## **CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Third Order Granting Joint Motion to Extend Abeyance* in the matter of Harvest Four Corners, LLC, CAA Appeal No. 24-09, were sent to the following persons in the manner indicated:

### **By Email:**

#### **For Petitioner:**

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Dated: Aug 19, 2025

*Tommie Madison*

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Tommie Madison  
Clerk of the Board