

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

)	
In re:)	
)	
Jordan Development Co., L.L.C.)	UIC Appeal Nos. 18-06, 18-07,
Traverse City, Michigan)	18-08 & 18-09
UIC Well Grove #13-11 SWD)	
)	
UIC Permit No. MI-051-2D-0031)	
)	

**ORDER GRANTING REQUEST FOR
 EXTENSION OF TIME FOR SUPPLEMENTAL BRIEFING**

By motion dated May 24, 2019, U.S. EPA Region 5 (“Region”) requests a ten-day extension of time, from June 3, 2019, to provide supplemental briefing responsive to the Board’s Order Directing Supplemental Briefing on Region 5’s Consideration of Environmental Justice in This Permitting Action (issued May 16, 2019). The Board had previously granted extensions of time to the Region to brief this case. In support of its current request, the Region states that the extension “will allow EPA’s Office of General Counsel’s (“OGC”) management, the Office of Water (“OW”) and Region 5 adequate time to coordinate on this EJ issue and provide a higher-level response to the Board’s request.” Motion at 3. The Region recounts that it has begun coordination with EPA Headquarters on the supplemental briefing, which addresses issues similar to those in *In re Muskegon Development Co.*, UIC Appeal No. 18-05, a matter the Board recently remanded to the Region. The Region further states that, considering the Remand Order in *Muskegon*, OGC management wishes to provide additional review, input, and coordination on the supplemental briefing in this case, and that the intervening Memorial Day holiday presented challenges to the necessary coordination. Motion at 3-4. The Region represents that it sought to ascertain whether the other parties concurred with or objected to this motion and that only

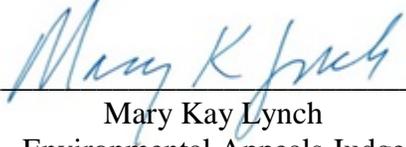
Petitioner Addison responded, and he objected on the grounds that the “EPA has had more than enough time to generate a response.” *Id.* at 4.

The Board finds that under the circumstances here, the Region’s request supports the efficient and fair adjudication of this matter. *See* 40 C.F.R. § 124.19(n). Accordingly, the Region’s request is **GRANTED**. The Region’s supplemental brief must be filed with the Board on or before **Thursday, June 13, 2019**, and any supplemental response brief by Petitioner Addison must be filed with the Board by **Friday, June 21, 2019**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: **May 29 2019**

By: 
Mary Kay Lynch
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing **Order Granting Request for Extension of Time for Supplemental Briefing** in the matter of *Jordan Development Co., LLC*, UIC Appeal Nos. 18-06 to -09, were sent to the following persons in the manner indicated:

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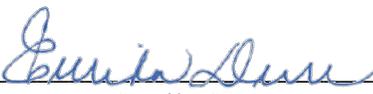
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Dated: May 29 2019



Eurika Durr
Clerk of the Board