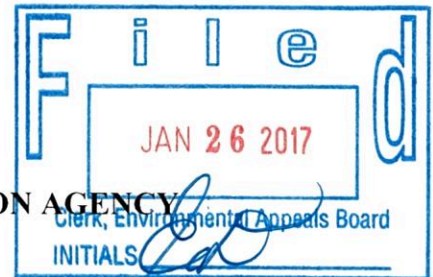


ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_)  
In re: )  
Florence Copper, Inc. ) UIC Appeal Nos. 17-01, 17-02 & 17-03  
UIC Permit No. R9UIC-AZ3-FY11-1 )  
\_\_\_\_\_)

**ORDER EXTENDING TIME TO FILE RESPONSES**

The Environmental Appeals Board (“Board”) has received three petitions filed by Mr. John L. Anderson (17-01), the Gila River Indian Community (17-02), and joint petitioners Southwest Value Partners and the Town of Florence (17-03), requesting review of certain conditions of a Class III Underground Injection Control (“UIC”) permit issued on December 21, 2016, by U.S. EPA Region 9 (“Region”). The permit authorizes Florence Copper, Inc. (“FCI”) to construct and operate an in-situ copper recovery facility known as the Production Test Facility on FCI property near the town of Florence, Arizona.

By motion filed with the Board on January 25, 2017, the Region seeks an extension of time until April 7, 2017 to file a comprehensive response to the three petitions. *See* Region IX’s Unopposed Motion for Extension of Time to File Responses (“Motion”). The Region states that the extension is needed to address the “substantively complex, substantial, distinct, and varied range of issues raised in the three petitions” and that the additional time will ensure that “the relevant facts and issues are fully vetted.” *Id.* at 2. The Region states further that additional time is needed in order to consult with various offices within EPA, including the Office of General

Counsel. *Id.* The Region represents that it has contacted all petitioners and that they do not oppose the requested extension.

For good cause shown, the Motion is granted. The Region's consolidated response to the three petitions must be filed with the Board no later than April 7, 2017. Should FCI wish to participate in the appeal process, it must file a notice of appearance and a response to the petitions no later than April 7, 2017. If Petitioners wish to file a reply to the Region's or FCI's response, they must do so no later than April 24, 2017. All responses and replies must comply with length and other requirements of 40 C.F.R. § 124.19.

So ordered.

Dated: January 26, 2017

**ENVIRONMENTAL APPEALS BOARD**

By: Kathie A. Stein  
Kathie A. Stein  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the forgoing *Order Extending Time to File Responses* in the matter of Florence Copper, Inc, UIC Appeal Nos. 17-01, 17-02 & 17-03, were sent to the following persons in the manner indicated:

**By First Class Mail:**

John L. Anderson  
2631 N. Presidential Dr.  
Florence, AZ 85132-6671

Merrill C. Godfrey  
Ian A. Shavitz  
Michael-Corey Hinton  
Akin Gump Strauss Hauer & Feld, LLP  
1333 New Hampshire Ave., NW  
Washington, D.C. 20036-1564

Ronnie P. Hawks  
Russell R. Yurk  
Jennings, Haug & Cunningham, LLP  
2800 N. Central Ave., Suite 1800  
Phoenix, AZ 85004-1049

Linus Everling  
Thomas L. Murphy  
Gila River Indian Community  
525 W. Gu u Ki  
P.O. Box 97  
Scaton, AZ 85147

Christopher Kramer  
Barbara U. Rodriguez-Pashkowski  
Gust Rosenfeld, PLC  
One E. Washington, Suite 1600  
Phoenix, AZ 85004

**By EPA Pouch Mail:**

Alexa Engelman  
Office of Regional Counsel  
U.S. EPA Region 9 (ORC-2)  
75 Hawthorne St.  
San Francisco, CA 94105

Dated: 1-26-2017

  
Annette Duncan  
Administrative Specialist