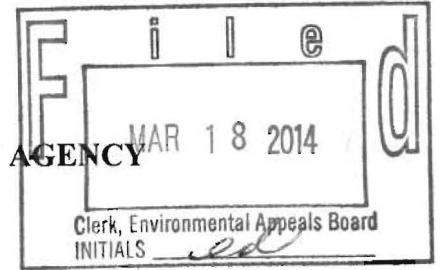


ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Seneca Resources Corp.) UIC Permit Appeal Nos. 14-01, 14-02, & 14-03
)
UIC Permit No. PAS2D025BELK)
)

ORDER CONSOLIDATING PETITIONS FOR REVIEW

On January 28, 2014, the U.S. Environmental Protection Agency Region 3 (“Region”) issued an Underground Injection Control (“UIC”) permit, Number PAS2D025BELK (“Permit”), to Seneca Resources Corporation for a Class II injection well. The Environmental Appeals Board (“Board”) received a petition for review of the Permit from each of the following: 1) Judith Hudson (UIC Appeal No. 14-01); Susan Swanson (UIC Appeal No. 14-02); and 3) the Highland Township Municipal Authority (UIC Appeal No. 14-03).¹ On March 13, 2014, the Region moved to consolidate all petitions for review of the Permit and sought leave to file one

¹ In its motion, the Region states that it received a copy of a petition for review from the Highland Township Municipal Authority on February 25, 2014. On March 14, 2014, having not yet received this petition for filing, the Board inquired about this petition. The Highland Township Municipal Authority then sent a copy of its petition to the Board by overnight mail, along with a statement that the petition was originally mailed to the Board at its mailing address on February 21, 2014. Mail sent to the Environmental Protection Agency via the U.S. Postal Service can be delayed for a period of several weeks by a random sterilization procedure applied to mail delivered to the federal government. Although presumably this is what happened here, the Board has no way to verify the original filing until the mailed petition belatedly arrives. Nevertheless, the Board is consolidating this petition with the other two filed on this Permit for administrative purposes; however, the Board is reserving any ruling on the timeliness of this petition at this time. Because of the potential delay associated with filing by mail, the Board encourages parties to utilize the Board’s e-filing system or non-U.S. Postal Service carriers and the Board’s hand-delivery address when filing pleadings with the Board.

consolidated response. *See* Region's Motion to Consolidate Appeals and for Leave to File a Consolidated Response.

For administrative convenience and in the interest of efficiency, the Board hereby consolidates the petitions for review of the Permit and grants the Region's request that EPA submit a single response to the petitions filed. The Region must file its response to the petitions by the deadline the Board previously set in its March 5, 2014 Order Granting in Part Motion for Extension of Time.² Accordingly, the Region's motion is **GRANTED** and the Region's response to the petitions is due on **April 2, 2014**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: March 18, 2014

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

² If the permittee chooses to respond to the petition for review pursuant to 40 C.F.R. § 124.19(b)(3), the permittee is required to file a response by the same deadline as the permit issuer.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Consolidating Petitions for Review in the matter of Seneca Resources Corp., UIC Appeal Nos. 14-01, 14-02 and 14-03, were sent to the following persons in the manner indicated:

By First Class Mail:

Judith E. Hudson
539 Hacker Street
Kane, PA 16735

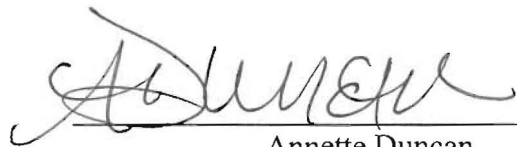
Susan Swanson
P.O. Box 148
James City, PA 16734-0148

Kevin Moran, Chairman
Highland Township Municipal Authority
P.O. Box 143
James City, PA 16734-0143

By Pouch Mail:

Nina Rivera
Assistant Regional Counsel
U.S. EPA, Region 3
1650 Arch St.
Philadelphia, PA 19103

Dated: MAR 19 2014



Annette Duncan
Secretary