

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

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In re Panoche Energy Center, LLC)	UIC Appeal No. 22-01
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UIC Permit No. R9UIC-CA1-FY17-2R)	
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ORDER SCHEDULING ORAL ARGUMENT

Pending before the Environmental Appeals Board (“Board”) is a petition for review challenging an Underground Injection Control (“UIC”) permit issued by U.S. Environmental Protection Agency, Region 9 (“Region”) to Panoche Energy Center, LLC (“PEC”). The permit authorizes injection of industrial wastewater into four existing and two potential Class I nonhazardous injection wells. PEC seeks review of the ambient monitoring provisions in Part II.E.2 of the permit and requests oral argument.

The briefing in this matter is now complete, and upon review of the administrative record and the parties’ briefs, the Board has decided that oral argument would be of assistance in the Board’s deliberations on this matter. Accordingly, the Board will hold oral argument on **Thursday, March 30, 2023**, beginning at **1:30 p.m.** Eastern Time. The Board has allocated sixty (60) minutes total for this oral argument, divided as follows and in the following order:

- Thirty (30) minutes for PEC
- Thirty (30) minutes for the Region
- PEC may reserve up to ten (10) minutes of its thirty-minute time allocation for rebuttal


Oral argument will be conducted by videoconference. No video or audio recording is allowed. A court reporter will be present, and the Board intends to post a transcript of the argument to the docket in this matter.

The Board directs each party to file a “Notice of Participation” on or before **Wednesday, March 8, 2023**, providing (1) the name and contact information for the individual(s) who will present argument on its behalf, and (2) the name(s) and contact information for any other person(s) whose participation in the oral argument is deemed necessary. The Clerk of the Board will contact the parties in advance of the argument to provide further information regarding logistics and to schedule a videoconference approximately one week before the oral argument to identify and resolve any potential technical issues. Approximately forty-eight (48) hours prior to the oral argument, the Clerk of the Board will post a link on the Board’s website that will allow members of the public to view the oral argument (www.epa.gov/eab, click on [Upcoming Oral Arguments tab](#)).

So ordered.

Dated: Feb 22, 2023

ENVIRONMENTAL APPEALS BOARD

By:  _____
Mary Kay Lynch
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Scheduling Oral Argument* in the matter of Panoche Energy Center, LLC, UIC Appeal No. 22-01, were sent to the following persons in the manner indicated:

By Email:

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Dated: Feb 22, 2023

Emilio Cortes

Emilio Cortes
Clerk of the Board