



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

In re:)
) UIC Appeal No. 18-02
Penneco Environmental Solutions, LLC)
)
Permit No. PAS2D701BALL)
)
)

ORDER REGARDING ATTACHMENTS TO RESPONSE BRIEFS


The U.S. Environmental Protection Agency, Region 3 (“Region”) and the permittee, Penneco Environmental Solutions, LLC (“Penneco”), have each filed a response (with attachments) to the petition for review filed by the Borough of Plum in this matter. The Region and Penneco each included a document in their respective attachments identified as the “Statement of Basis” for the draft of the permit that is the subject of the petition for review. Region Resp., Tab D; Penneco Resp., Ex. D. The Statement of Basis filed by the Region, however, is different than the Statement of Basis filed by Penneco.

Given the discrepancy between the documents identified as the Statement of Basis attached by the Region and Penneco, the Environmental Appeals Board (“Board”) directs that the Region and Penneco file, on or before **June 8, 2018**, a statement that either identifies which attachment (if any) is the correct Statement of Basis or explains the discrepancy between the two attachments. If the Region, Penneco, or both need to file amended attachments, the Board hereby grants the Region and Penneco, respectively, leave to file an amended attachment on or before **June 8, 2018**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: May 31, 2018

By: 

Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Regarding Attachments to Response Briefs* in the matter of Penneco Environmental Solutions, LLC, UIC Appeal No. 18-02, were sent to the following persons in the manner indicated:

By First Class Mail:

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Dated: May 31, 2018



Annette Duncan
Administrative Specialist