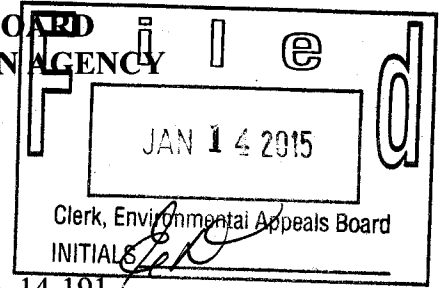


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____))
In re:))
Gasco Energy, Inc.))
Permit No. UT22291-10328))
_____))

UIC Appeal No. 14-191

**ORDER SHORTENING DEADLINE FOR FILING OPPOSITION BRIEFS
AND HOLDING IN ABEYANCE DEADLINE FOR FILING RESPONSE BRIEFS**

On December 17, 2014, the Southern Utah Wilderness Alliance (“SUWA”) filed a petition with the Environmental Appeals Board (“Board”) seeking review of an Underground Injection Control (“UIC”) permit, number UT22291-10328 (“Permit”), that the U.S. Environmental Protection Agency Region 8 (“Region”) had issued to Gasco Energy, Inc. (“Gasco”) pursuant to the Safe Drinking Water Act, 42 U.S.C. §§ 300f to 300j-26. The UIC permit at issue is a Class II permit for an enhanced oil recovery well in Uintah County, Utah. *See* Permit at 1 (issued Nov. 27, 2014).

On January 12, 2015, the Region filed a motion requesting that the Board remand the permit back to the Region for reconsideration. Region 8’s Motion for Voluntary Remand at 1. In the motion, the Region states that it does not intend to file a response to the petition by the January 16, 2015 deadline “[i]n light of the motion for remand.”¹ *Id.* at 3. Also on January 12, 2015, Gasco filed a notice of appearance as well as a motion for a 45-day extension of time for it to file its response to the petition. In its motion, Gasco requests that its response brief be due on

¹ The Board notes that, as a technical matter, a pending motion, such as the Region’s motion for voluntary remand, does not, by itself, change a filing deadline. In the future, therefore, if the Region intends not to meet a filing deadline because of a pending motion, it should move to extend that deadline and may do so in its motion or a separate motion.

March 2, 2015. Gasco Energy Inc.'s Motion for Extension of Time to File Response to Petition for Review of Southern Utah Wilderness Alliance at 3. On January 13, 2015, Gasco filed a notice of intent with the Board stating that it plans to file an opposition to the Region's motion for voluntary remand.

Under EPA's permitting regulations, an opposition brief is due within 15 days after service of the motion being opposed unless the Board shortens or extends the time for filing the response. 40 C.F.R. § 124.19(f)(3). In this case, in order to expedite the permit process, the Board is shortening the time for the filing of an opposition brief. Accordingly, the Board ORDERS opposition briefs to the Region's motion for voluntary remand to be filed on or before Wednesday, January 21, 2015. Furthermore, for the sake of administrative and judicial efficiency, the Board ORDERS the deadline for the filing of response briefs to be held in abeyance until the Board rules on the Region's motion for voluntary remand.

So ordered.

ENVIRONMENTAL APPEALS BOARD



Randolph L. Hill
Environmental Appeals Judge

Date: JAN 14 2015

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Shortening Deadline for Filing Opposition Briefs and Holding in Abeyance Deadline for Filing Response Briefs in the matter of Gasco Energy, Inc., UIC Appeal No. 14-191, were sent to the following persons in the manner indicated:

By Pouch Mail:

Lucita C. Chin
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Mail Code 8RC
Denver, CO 80202

By First Class Mail:

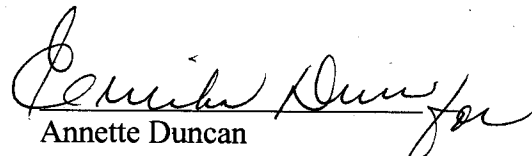
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Dated:

January 14, 2015


Annette Duncan
Secretary