



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

	)	
	)	
In re Pratt Zero Carbon, LLC	)	UIC Appeal No. 26-03
	)	
Permit No. KSS151570001	)	
	)	
	)	

**ORDER GRANTING IN PART MOTION FOR EXTENSION OF TIME AND
TO INCREASE WORD LIMIT**

Issued June 30, 2026

Order of the Board by Judge Avila:

U.S. EPA Region 7 has filed a motion for an extension of time to file its response brief in the above-captioned matter and for an increase in the word limit for its response brief. Region 7 Mot. for Extension of Time and Increase of Word Limit at 1 (June 25, 2026). The Region seeks an extension of sixty days and an increase in the word limit to 28,000 words. *Id.* Petitioners do not oppose the extension of time or increase in word limit but condition their concurrence upon receiving a forty-five-day extension of their time to file a reply and an increase in the word limit for the reply to 28,000 words. *Id.* at 5. The Permittee, however, opposes the Region's extension request and asks that the Board provide no more than a thirty-day extension for the response and a fifteen-day extension for the reply. Permittee Pratt Zero Carbon, LLC's Partial Opp'n to EPA's Mot. for Extension of Time and Increase of Word Limit at 3 (June 26, 2026). The

Permittee takes no position on the request for an increase in the word limitation provided that the Permittee receives the same increase as the Region. *Id.*

Upon consideration of the parties' submissions, the Board finds the Region's and Petitioners' requested extensions of time excessive. While the Board granted a sixty-day extension in *In re Marquis Carbon Injection, LLC*, UIC Appeal No. 26-01 (EAB June 3, 2026) (Order Granting in Part Motion for Extension of Time to File Response and Reply Briefs and Increasing Word Limit) (the original requested extension was for 120 days), the petition in this matter raises fewer issues. Petition for Review at 10-12 (June 4, 2026).¹ The Board also finds that Petitioners have not demonstrated a compelling need for a four-fold increase in the word limit for their reply. *See* 40 C.F.R. § 124.19(d)(3). As we stated in the *Marquis* order, "the number of issues in a case does not correspond proportionally or directly to the number of words permissible in a brief." *Marquis*, UIC Appeal No. 26-01, at 2. We further observe that more words rarely correlate to a better brief and all parties should endeavor to make their respective briefs as concise as possible. Accordingly, the Board establishes the following briefing schedule:

- The Region and the Permittee must file and serve their respective responses to the petition on or before **Friday, August 21, 2026**, and each response shall not exceed 28,000 words; and

¹ The eighty-four-page petition that the Region references in its motion includes the table of contents, table of authorities, table of attachments, and eight attachments. Petition for Review at 2-9, 60-84 (June 4, 2026). The petition for review itself is not eighty-four pages long and it complies with the Board's 14,000-word limit. *Id.* at 58.

- Any reply must be filed and served on or before **Monday, September 21, 2026**, and shall not exceed 14,000 words.

See 40 C.F.R. § 124.19(d)(3), (n).

So ordered.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting in Part Motion for Extension of Time and to Increase Word Limit* in the matter of Pratt Zero Carbon, LLC, UIC Appeal No. 26-03 were sent to the following persons on June 30, 2026 in the manner indicated:

By E-mail:

For Petitioners:

Alexis Iwasiw

alexis.iwasiw@outlook.com

For Region 7:

Samantha Pappas

U.S. EPA, Region 7

pappas.samantha@epa.gov

For Permittee:

Kerry L. McGrath

Hunton Andrews Kurth LLP

kmcgrath@Hunton.com

Samuel L. Brown

Hunton Andrews Kurth LLP

slbrown@Hunton.com

Abigail N. Contreras

Hunton Andrews Kurth LLP

acontreras@Hunton.com

Tommie Madison
Clerk of the Board