

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

In the Matter of:)	
)	
Windfall Oil & Gas Inc.)	
)	
)	
UIC Permit No. PAS2D020BCLE)	Permit Appeals UIC 14-73 through 14-190
)	
)	

**REGION III'S MOTION FOR LEAVE TO FILE CONSOLIDATED RESPONSE
AND FOR EXTENSION OF TIME TO FILE A RESPONSE**

The United States Environmental Protection Agency (EPA) Region III (Region) respectfully requests an extension of time to file a response to the petition for review of the Windfall Oil & Gas, Inc. permit and to submit the relevant portions of the record. As grounds for the motion, the Region states as follows:

1. On October 31, 2014, the Region issued a final permit to Windfall Oil & Gas (Windfall) for an Underground Injection Control (UIC) Class II injection well.
2. Over 100 petitions have been filed requesting review of the Windfall permit. Although many of the petitions are identical, there are at least 25 distinct petitions.
3. On December 3, 2014, the Environmental Appeals Board consolidated the petitions and ordered the Region to file a single consolidated response by January 23, 2015.
4. The petitions filed raise multiple and complex technical issues, and refer to hundreds of pages of public comments. A response properly addressing those issues must refer

to, and must be accompanied by, relevant portions of the administrative record, all of which must be duplicated 118 times to be served to the petitioners. Large-scale maps that are part of the administrative record must be reproduced and scanned by a private vendor, the use of which requires a contracting approval process.

5. EPA regional personnel needed to review and respond to the multiple technical issues raised by the petitioners, and to compile the record and certify the index, were out of the office in the last two weeks of December because of the holidays.

6. To attempt to ascertain whether petitioners concur or would object to this motion, the Region sent a message via electronic mail on January 12, 2015, to all of the petitioners who listed an email address in their petitions, which were about 60 of the petitioners. Ten petitioners responded, stating that they did not object to the motion.

7. For the reasons stated above, the Region request that the Environmental Appeals Board grant an extension of the time to file a response, the certified index of the record and the relevant portions of the administrative record until February 6, 2015.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of this Motion for Extension of Time to File a Response on the date specified below, by US. mail to the addresses listed below. I also sent a copy of the motion by electronic mail to those petitioners who provided an email address in their petitions.

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I also certify that I filed the original electronically with the Environmental Appeals Board.



Date: 1/14/15

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