

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

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In the Matter of:)	
)	
Pennsylvania General Energy Company, LLC)	
)	
)	
)	Permit Appeals: UIC 14-63, UIC 14-64,
)	and UIC 14-65
UIC Permit No. PAS2D013BIND)	
)	
)	

REGION III RESPONSE TO PETITIONER WANCHISN
MOTION TO FILE DOCUMENT GAO 14-555

1. The United States Environmental Protection Agency (“EPA”) Region III (“Region”) files this Response to Petitioner Wanchisn’s Motion to File Document GAO 14-555 which is a Government Accounting Office Document (hereinafter “GAO Report”). Although the Board has not ruled on the Region’s August 14, 2014 motion requesting permission to respond by August 21, 2014 to Petitioner’s request to file the GAO Report, the Region is providing this Response in the interest of time in the event the Board grants the Region’s August 14, 2014 motion. The Region requests that Petitioner’s motion to file the GAO Report be denied for the reasons discussed below:

2. On April 8, 2014 Petitioner Wanchisn filed a petition for review of the underground injection control (UIC) permit issued by the Region to Pennsylvania General Energy Company, LLC (PGE), UIC Permit Number PAS2D013BIND (Permit) on March 19,

2014.

3. On May 14, 2014 the Region filed its Response to Petitions for Review of the PGE UIC Permit, along with a certified index to the Administrative Record for the PGE Permit issuance

4. On August 4, 2014, Petitioner Wanchisn filed its Motion to File Document GAO 14-555 requesting permission to file the GAO Report which was published in June, 2014.

5. Petitioner Wanchisn attached the GAO Report to her motion.

6. The GAO Report was not part of the administrative record for the Region's PGE Permit decision of March 19, 2014.

7. The GAO Report does not discuss the PGE Permit.

8. Petitioner Wanchisn does not specifically explain how the GAO Report supports the arguments in her petition for review of the PGE Permit.

9. Matters discussed generally in the GAO Report, such as permeability, porosity, pressurization, and well monitoring, were specifically addressed by the Region when it evaluated the PGE Permit application and issued the Permit.

10. The Region considered the characteristics of the geologic injection formation relevant to the PGE well, including permeability, porosity, and pressurization, and well monitoring in the administrative record for the PGE permit as explained in its Response to Petitions for Review of the PGE Permit.

11. The Region explained in its Response to Petitions for Review that the Region's decision to issue the PGE Permit complied with the regulatory requirements for UIC permit issuance.

12. EPA intends to provide written comments to the GAO in response to the GAO

Report, and to provide a copy of such comments to the Board at that time.

For the foregoing reasons, the Region requests that this Court deny Petitioner Wanchisn's Motion to File Document GAO 14-555.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I delivered a copy of the foregoing Response to Petitioner Wanchisn's Motion to File Document GAO 14-555 on the date specified below, by overnight mail delivery service to:

Suzanne Watkins
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I also certify that I filed the original Response to Petitioner Wanchisn's Motion to File Document GAO 14-555 electronically with the Environmental Appeals Board.



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