

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

_____)	
In re:)	
)	
Wabash Carbon Services, LLC)	UIC Appeal No. 24-01
Vermillion and Vigo, IN)	
Wells CCS#1 and #2)	
)	
Underground Injection Control)	
Permit Nos.: IN-165-6A-0001 and)	
IN-167-6A-0001)	
_____)	

MOTION FOR SECOND EXTENSION OF TIME

The United States Environmental Protection Agency, (“EPA”) Region 5 (“Region”) requests that the Environmental Appeals Board (“Board”) grant a 14-day extension of time, until May 10, 2024, to file the certified index to the administrative record and relevant portions of the administrative record (“AR”) as well as the Region’s response to the Petition for Review in the above-captioned matter.

EPA seeks this extension for the following reasons. As previously noted, the Petition raises legal and technical claims that require consultation with multiple divisions in EPA, including headquarters and other regions. These discussions are ongoing. At present, the Region is coordinating with multiple EPA offices its response to the Petition’s claims concerning the Safe Drinking Water Act, 42 U.S.C. §§ 300h *et seq.*, and the National Environmental Policy Act (“NEPA”), 42 U.S.C. §§ 4321-4370. In consideration of these ongoing circumstances, the Region respectfully requests an additional 14 days.

Consistent with 40 C.F.R. § 124.19(f)(2), the Region has consulted with counsel for the other Parties to this case, Petitioners and Permittee Intervenor Wabash Carbon Services LLC.

Neither one objects to or opposes this motion. Permittee indicated that it is ready to proceed and does not need the additional time.

For the reasons stated above, the Region respectfully requests that the Board grant a 14-day extension of time to May 10, 2024, for the Region to file its Response to the Petition for review, including the responsive brief, certified index of the administrative record, and the relevant portions of the administrative record.

Respectfully submitted,

DATE: April 20, 2024

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CERTIFICATE OF SERVICE

I certify that copies of the foregoing Motion for Extension of Time in the matter of Wabash Carbon Services LLC were filed in the Environmental Appeal Board's electronic filing system and sent to the following persons in the manner indicated.

By email to:

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DATE: April 20, 2024

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