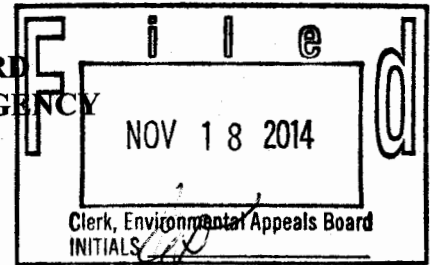


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)

Archer Daniels Midland Company)
Decatur, Illinois)
Facility CCS#2)

UIC Permit No. IL-115-6A-0001)

UIC Appeal No. 14-72

**ORDER TO SHOW CAUSE
WHY PETITION SHOULD NOT BE DISMISSED
AND STAYING OTHER DEADLINES**

On October 28, 2014, the U.S. Environmental Protection Agency ("EPA") received Mr. Jeffrey Sprague's petition for review of Underground Injection Control ("UIC") Permit No. IL-115-6A-0001, issued by EPA Region 5 on September 23, 2014, to Archer Daniels Midland Company ("ADM"). The permit authorizes ADM to construct and operate a new injection well in Decatur, Illinois, for carbon capture and sequestration purposes.

On November 12, 2014, EPA Region 5 filed a motion to dismiss Mr. Sprague's petition, claiming it was one day late under the permitting regulations set forth in 40 C.F.R. part 124. Those regulations require petitions to be filed within thirty days after a final permit decision is issued, plus three days if EPA served the final permit by mail. 40 C.F.R. §§ 124.19(a)(3), .20(d). In this case, a thirty-three-day post-permit issuance period places the petition-filing deadline on Monday, October 27, 2014.

Before ruling on Region 5's motion to dismiss, the Environmental Appeals Board would benefit from obtaining Mr. Sprague's response to the Region's motion. Accordingly,

Mr. Sprague is hereby ordered to provide a response to the Board, in writing, on or before
Thursday, December 4, 2014.

In addition, the Region's motion for extensions of time to file a response to Mr. Sprague's petition and to respond to the Board's offer to participate in the Alternative Dispute Resolution ("ADR") program are hereby granted. Both of these deadlines are stayed until such time as the Board issues an order ruling on the Region's motion to dismiss Mr. Sprague's petition. If the Board decides not to dismiss the petition, the Board will establish deadlines for briefing and responding to the Board's offer to participate in ADR for further orderly progress in this case.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: November 18, 2014

By: Leslye M. Fraser
Leslye M. Fraser
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order to Show Cause Why Petition Should Not Be Dismissed and Staying Other Deadlines** in the matter of *Archer Daniels Midland Co.*, UIC Appeal No. 14-72, were sent to the following persons in the manner indicated:

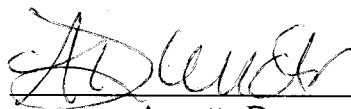
By First Class U.S. Mail, Return Receipt Requested:

Jeffrey Sprague
Post Office Box 442
Argenta, Illinois 62501
telephone: (217) 795-2131

By EPA Pouch Mail:

Joanna S. Glowacki, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard (C-14J)
Chicago, Illinois 60604
telephone: (312) 353-3757
facsimile: (312) 385-5464

Date: NOV 18 2014



Annette Duncan
Secretary