



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

In re Powertech (USA) Inc.

Permit Nos. SD31231-00000 & SD52173-
00000

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) UIC Appeal No. 20-01
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**ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL BRIEFING**

On June 30, 2023, the Environmental Appeals Board (“Board”) issued an Order Requiring Additional Briefing, directing each party to file and serve a response to that Order on or before July 14, 2023. Order Requiring Additional Briefing at 2 (June 30, 2023). On July 3, 2023, the Oglala Sioux Tribe (“Tribe”) filed an unopposed motion requesting a fourteen-day extension of time, up to and including July 28, 2023, for all parties to submit responses to the Board’s Order Requiring Additional Briefing. Unopposed Motion for Extension of Time to Provide Additional Briefing at 1 (July 3, 2023). In support of this motion, the Tribe states that it has “significant pre-existing briefing obligations in other cases and intervening out of state family travel plans of counsel for the Tribe.” *Id.* The Tribe states that these conflicts would “render both counsel unable to devote sufficient time and resources to addressing the Board’s Order.” *Id.* at 2. The Tribe also represents that it contacted counsel for the U.S. Environmental Protection Agency Region 8 and Powertech (USA) Inc. and that “no party opposes this Motion.” *Id.* at 1.

Based on the representations in the Tribe's motion, the Board hereby **GRANTS** the motion. *See* 40 C.F.R. § 124.19(n). Accordingly, each party's response to the Board's Order Requiring Additional Briefing must be filed and served on or before **Friday, July 28, 2023**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: Jul 06, 2023

By: Wendy L. Blake
Wendy L. Blake
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Granting Unopposed Motion for Extension of Time to Provide Additional Briefing* in the matter of Powertech (USA) Inc., UIC Appeal No. 20-01, were sent to the following persons in the manner indicated.

By Email:

Attorney for Petitioner

Jeffrey C. Parsons, Senior Attorney
Roger Flynn, Managing Attorney
Western Mining Action Project
P.O. Box 349
Lyons, CO 80540
(303) 823-5738
wmap@igc.org

Travis E. Stills
Managing Attorney
Energy & Conservation Law
227 E. 14th St., #201
Durango, CO 81301
(970) 375-9231
stills@eclawoffice.org

Attorney for Amicus Curiae Great Plains Tribal Water Alliance, Inc.

Peter Capossela, PC
Attorney at Law
Post Office Box 10643
Eugene, Oregon 97440
(541) 505-4883
pcapossela@nu-world.com

Attorneys for Powertech (USA) Inc.

Robert F. Van Voorhees
Van Voorhees PLLC
1155 F Street, N.W.
Suite 700
Washington, DC 20004-1357
(202) 365-3277
bob.vanvoorhees@gmail.com

Jason A. Hill
Hunton Andrews Kurth LLP
600 Travis
Suite 4200
Houston, Texas 77002
(713) 220-4510
hillj@huntonak.com

Kerry McGrath Hunton
Andrews Kurth LLP
2200 Pennsylvania Ave. NW
Washington, DC 20037
(202) 955-1519
KMcGrath@huntonak.com

Attorneys for EPA

Lucita Chin, Senior Assistant Regional Counsel
Michael Boydston, Senior Assistant Regional Counsel
Environmental Protection Agency, Region 8
1595 Wynkoop St.
Mail Codes: 8ORC-LC-M, 8ORC-LC-G
Denver, CO 80202
chin.lucita@epa.gov
boydston.michael@epa.gov

Katie Spidalieri
Attorney-Advisor
Water Law Office, Office of General Counsel
U.S. Environmental Protection Agency
spidalieri.katie@epa.gov

Dated: Jul 06, 2023

Emilio Cortes

Emilio Cortes
Clerk of the Board