

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

_____)	
In re:)	
)	
Powertech (USA) Inc.)	
)	UIC Appeal No. 20-01
Permit Nos. SD31231-00000 & SD52173-)	
00000)	
_____)	

**RESPONSE OF POWERTECH (USA) INC.
TO MOTION TO STRIKE AND
ALTERNATIVE MOTION FOR LEAVE TO FILE SURREPLY**

Pursuant to 40 C.F.R. § 124.19(f)(3), Powertech (USA) Inc. (“Powertech”) hereby responds to the EPA Region 8 Motion to Strike and Alternative Motion for Leave to File Surreply. Powertech is the permittee of the Underground Injection Control (“UIC”) permits that are the subject of the Petition. Powertech joins the motion and concurs with the arguments presented by EPA Region 8. For the reasons stated in that motion, the Board should strike the new arguments raised in the Reply by Petitioner. In the alternative, the Board should grant Region 8 and Powertech leave to file a surreply in response to the new arguments raised.

Statement of Compliance With Word Limitations

In accordance with 40 C.F.R. § 124.19(f)(5), the undersigned attorneys certify that this motion contains fewer than 7000 words.

Respectfully submitted,

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/s/ Robert F. Van Voorhees

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Dated: February 22, 2024

CERTIFICATE OF SERVICE

I hereby certify that, on February 22, 2024, I served the foregoing document on the following persons by e-mail in accordance with the Environmental Appeals Board's September 21, 2020 Revised Order Authorizing Electronic Service of Documents in Permit and Enforcement Appeals:

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