

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

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| _____ |) | |
| 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 |) | |
| _____ |) | |

REQUEST FOR RESCHEDULING OF ORAL ARGUMENT

The United States Environmental Protection Agency, (“EPA”) Region 5 (“Region”) respectfully requests that the Environmental Appeals Board (“Board”) reschedule the September 19, 2024 oral argument in this case. Specifically, the Region requests a one-month continuance of the date and provides the following explanation for its request.

The Region has had two primary legal counsel on this matter—Andre Daugavietis and Amanda Urban. Counsel Daugavietis retired from EPA in June 2024 after nearly 34 years of service to EPA. Counsel Urban will be out of the country on extended leave on the currently scheduled oral argument date of September 19, 2024. She received approval for this extended international trip over a year ago and has fully booked nonrefundable flights and lodging in four countries. Counsel Urban can provide the Board with more details of her leave by email if necessary.

Counsel Urban has been the lead attorney on this matter since the Petition was filed. The Region believes that Counsel Urban’s participation at oral argument is critical to adequately answer the Board’s questions and sufficiently respond to arguments raised by

Petitioners during oral argument. She will provide thorough representation of the Region's position.

The Region consulted with counsel for the other Parties to this case—Petitioners and Permittee Intervenor Wabash Carbon Services LLC. Petitioners do not oppose this request. Permittees do not oppose the request but would prefer to continue with the scheduled date and hold oral argument as soon as possible.

For the reasons stated above, the Region respectfully requests that the Board reschedule oral argument in this case for October 21, 2024 or another further extended date.

Respectfully submitted,

DATE: July 11, 2024

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CERTIFICATE OF SERVICE

I certify that copies of the foregoing Request for Rescheduling of Oral Argument 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: July 11, 2024

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