

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

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In re:	:
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	: Permit Appeal UIC 23-01
Penneco Environmental Solutions, LLC	:
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UIC Permit No. PAS2D702BALL	:
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**MOTION FOR EXTENSION OF TIME**

Region 3 of the United States Environmental Protection Agency (“EPA Region 3”) requests that the Environmental Appeals Board grant a seven (7) day extension of time, until December 4, 2023, to file EPA Region 3’s Response to a Petition for Review (“Response”) in the above-captioned matter. The Response is currently due on November 27, 2023, EPA Region 3 seeks this extension for two reasons. First, the UIC Program contact for the permit is on leave and will not be back to work until November 13. His absence may make it more difficult to assemble a timely response to the Petition for Review.

Second, the current deadline falls during the Thanksgiving holiday weekend. Typically, many EPA employees, including counsel for EPA Region 3 and counsel’s manager are on leave for several days during that week. This will make it difficult to submit to the Board a Response that the Region has fully reviewed and approved. EPA Region 3 has consulted with counsel for Protect PT and the Three Rivers Waterkeeper (“Petitioners”) and has been informed that the Petitioners do not object to this motion. EPA Region 3 has also consulted with counsel for the Permittee, Penneco Environmental Solutions, LLC, (“Permittee”) and has been informed that the Permittee does not object to this motion for extension of time.

Counsel for EPA Region 3 also notes that as of November 17, 2023, many Federal Government agencies may have to shut down because of a lapse in appropriations. If a shutdown does occur that closes EPA prior to the due date for EPA Region 3’s Response, Counsel assumes that the Board would suspend its operations and the date for any required filing. Counsel also assumes that, as has been the case in prior Federal Government shutdowns, Federal Government employees will not have authorization to work on such matters such as this appeal during the shutdown. If a shutdown occurs which affects the filing of the Response,

EPA Region III would propose a new date within five (5) days after EPA reopens.

Respectfully submitted,  
/s/ Philip Yeany

*(signed per Revised EAB Order re: Electronic Filing in non-Part 22 Proceedings, 8/12/13)*

**Philip Yeany**

**Senior Assistant Regional Counsel**

**U.S. Environmental Protection Agency, Region III**

**1600 John F. Kennedy Boulevard**

**Philadelphia, Pennsylvania 19103**

**Phone: (215) 814-2495**

**Email: Yeany.Philip@epa.gov**