



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
 REGIONAL ADMINISTRATOR

NOTICE OF FINAL PERMIT DECISION
UIC Permit No. R9UIC-CA1-FY17-2R
For Panoche Energy Center, LLC

In accordance with the requirements of the Code of Federal Regulations (C.F.R.), Title 40 C.F.R. § 124.19(l)(2)(i), the United States Environmental Protection Agency, Region 9 (EPA) is issuing a Notice of Final Permit Decision for UIC Permit No. R9UIC-CA1-FY17-2R to Panoche Energy Center, LLC (PEC), located at 43883 West Panoche Rd, Firebaugh, CA 93622. The final UIC Permit and copy of this Notice are available on EPA’s web page at: <https://www.epa.gov/uic/uic-class-i-permit-no-r9uic-ca1-fy17-2r-panoche-energy-center-llc-firebaugh-ca>.

PEC filed a petition for review (Petition) of the Final Permit with EPA’s Environmental Appeals Board (EAB) on October 28, 2022. In the Petition, PEC contested certain conditions of the Final Permit. The uncontested and severable portions of the Final Permit were placed into effect pursuant to a Notice of Stay of Contested Conditions, dated November 7, 2022. The contested conditions were stayed pending a decision by the EAB on the Petition and final agency action.

On May 26, 2023, the EAB issued an order denying the Petition in its entirety. *In re Panoche Energy Center, LLC*, UIC Appeal No. 22-01 (EAB May 26, 2023). Under 40 C.F.R. § 124.19(l)(2)(i), a final permit decision must be issued by the Regional Administrator when the EAB issues notice to the parties that a petition for review has been denied. Accordingly, I am hereby issuing my final permit decision.

The contested conditions shall become fully effective and enforceable in accordance with the terms of the Final Permit issued on September 30, 2022, with an effective date of October 31, 2022.¹

This decision constitutes final agency action under 40 C.F.R. § 124.19(l)(2)(i). Under 40 C.F.R. § 23.7, this Notice becomes effective for purposes of judicial review under 42 U.S.C. § 300-j(7) and 5 U.S.C. § 704 two weeks after this Notice is signed.

Dated: _____

**MARTHA
 ACEVES**

Digitally signed by MARTHA
 ACEVES
 Date: 2023.06.07 14:58:59 -07'00'

Martha Guzman
 Regional Administrator

¹ The Permit expiration date remains unchanged. As indicated in Part I of the Permit, the Permit is issued for a period of ten (10) years unless the Permit is terminated under the conditions set forth in Section III.B.1 or administratively extended under the conditions set forth in Section III.E.12 of the Permit.