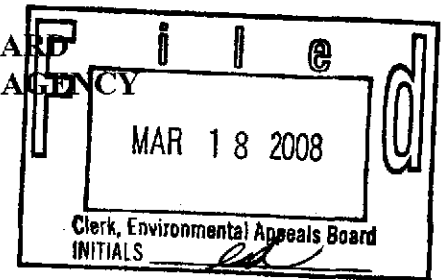


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:

Environmental Disposal
Systems, Inc.

UIC Permit Nos. M1-163-1W-C007 and
M1-163-1W-C008

UIC Appeal No. 07-03

**ORDER GRANTING MOTION FOR LEAVE TO FILE REPLY AND
ACCEPTING REPLY FOR FILING**

I. BACKGROUND

By motion filed February 7, 2008, and supplemented on February 13, 2008, the Police and Fire Retirement System of the City of Detroit, RDD Investment Corp., and RDD Operations, LLC, (together, "PFRS/RDD") sought leave to reply to the issues raised by the U.S. Environmental Protection Agency ("EPA" or "Agency"), Region 5 ("Region"), in its response to PFRS/RDD's petition for review in the above-captioned matter. PFRS/RDD attached a proposed Reply to its motion. The Region filed an opposition to the motion on February 15, 2008, arguing that PFRS/RDD sought to "repeat and refine arguments it already made at length in its Petition for Review." EPA's Opposition to Petitioner's Motion for Leave to File a Reply Brief at 3-4.

The Environmental Appeals Board Practice Manual provides that petitioners may "upon motion explaining why a reply brief is necessary, be granted leave to file a reply brief." EAB Practice Manual § III.D.5 at 36. Having duly considered PFRS/RDD's motion, and the

opposition thereto, the Board grants the Motion for Leave to File Reply, and the Reply brief is accepted for filing. The Region's response, if any, shall be filed no later than April 2, 2008 .

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: March 18, 2008

By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Leave to File Reply and Accepting Reply for Filing in *Environmental Disposal Systems, Inc.*, UIC Appeal No. 07-03, were sent to the following persons in the manner indicated:

**By Certified U.S. Mail,
Return Receipt Requested (and facsimile):**

Joseph E. Turner
Ronald A. King
Kristin B. Bellar
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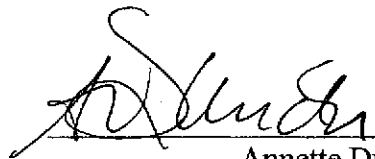
By EPA Pouch Mail (and facsimile):

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By EPA Interoffice Mail:

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Date: MAR 18 2008


Annette Duncan
Secretary