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Mayer Brown LLP 71 South Wacker Drive Chicago, Illinois 60606-4637

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Facsimile cover sheet

| Date: | Wednesday, Jun |
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nesday, June 04, 2008

Gregory L. Berlowitz Direct Tel 312-701-8590 Direct Fax 312-706-8730 gberlowitz@mayerbrown.com

To: Eurika Durr

Copy:

Company: USEPA Fax: 12022330121 **Telephone:**

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS BY MAIL, THANK YOU.

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Mayer Brown LLP operates in combination with our associated English limited liability partnership and

Hong Kong partnership (and its associated entities in Asia).

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ENVIR. APPEALS BOARD

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Gregory L. Berlowitz

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June 4, 2008

BY FACSIMILE AND OVERNIGHT DELIVERY

US Environmental Protection Agency Eurika Durr Clerk of the Board, Environmental Appeals Board 1341 G Street, NW, Sixth Floor Washington, DC 20005

Re: In Re: Beeland Group, LLC, Beeland Disposal Well #1, Appeal No. 08-02

Dear Ms. Durt:

Enclosed please find an original and six copies of Intervenor/Respondent Beeland Group LLC's Motion to Supplement its Motion for Extension of Time to File its Brief Responding to the Merits of FIR's Petition for Review No. 08-02.

Please return one file stamped copy to me in the enclosed self addressed postage paid envelope.

Thank you for your assistance.

Sincerely,

Gregory L. Berlowitz

cc: Service List

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BEFORE THE ENVIRONMENTAL APPEALS BOARD UNITED STATES ENVIRONMENTAL PROTECTION AGENCIEN -4 PM 12: 20 WASHINGTON, D.C.

ENVIR. APPEALS BOARD

| In Re: |) |
|------------------------------------------------|---|
| BEELAND GROUP, LLC BEELAND DISPOSAL WELL #1 |) |
| UIC PERMIT NUMBER: MI-099-11-0001 |) |

Appeal No. UIC 08-02

Intervenor/Respondent Beeland Group LLC's Motion to Supplement Motion for Extension of Time to File its Brief Responding to the Merits of FJR's Petition for Review No. 08-02

Permittee and Intervenor-Respondent Beeland Group, LLC ("Beeland"), by and through its attorneys Mayer Brown LLP and Zimmerman, Kuhn, Darling, Boyd, Quandt and Phelps, PLC, respectfully move to supplement their Motion for Extension of Time by informing the Board that FJR does not oppose their motion for extension of time.

On May 30, 2008, Beeland filed a motion for an extension of time to file its brief responding to the merits of FJR's petition for review of the permit. Beeland represented to the Board that Beeland had attempted to consult with FJR's counsel, who noted she needed to consult with her client, and who had not yet responded. Beeland now represents that it has been informed by counsel for FJR that FJR does not oppose the motion for a 7 day extension of time.

Respectfully Submitted:

Dated June 4 2008

Mayer Brown LLP

By: Susan E. Brice Attorneys for Permittee, Beeland Group 71 S. Wacker Drive Chicago, IL 60606

Phone: (312) 782-0600 Fax: (312) 701-7711

4/5

Zimmerman, Kuhn, Darling, Boyd, Quandt and Phelps, PLC Joseph E. Quandt (P49639) Gina A. Bozzer (P62688) Co-Counsel for Permittee, Beeland Group 412 South Union Street Traverse City, Michigan 49685 Phone: (231) 947-7900 Fax: (231) 947-732

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Intervenor/Respondent Beeland Group LLC's Motion to Supplement Motion for Extension of Time to File its Brief Responding to the Merits of FJR's Petition for Review No. 08-02 was served by United States First Class Mail on the following persons, this <u>day of June</u>, 2008:

TOPP LAW PLC Susan Hlywa Topp (P46230) Attomeys for Petitioners P.O. Box 1977 Gaylord, MI 49734-5977 T: (989) 731-4014 Fax: (989) 731-5804

Stuart P. Hersh Office of Regional Counsel U.S. EPA, Region 5 77 West Jackson Boulevard Chicago, IL 60604-3507

Charles H. Koop (P27290) Prosecuting Attorney for Antrim Co **Co-Counsel** for Petitioners 205 East Cayuga Street Bellaire, MI 49615 T: (231) 533-6860 Fax: (231) 533-5718

I have also filed the Intervenor/Respondent Beeland Group LLC's Motion to Supplement Motion for Extension of Time to File its Brief Responding to the Merits of FJR's Petition for Review No. 08-02 and this Certificate of Service with the Clerk of the Environmental Appeals Board, by facsimile and overnight delivery service, on this 47^{4} day of June, 2008 to:

U.S. Environmental Protection Agency Clerk of the Board, Environmental Appeals Board Colorado Building 1341 G Street, N.W., Suite 600 Washington, D.C. 20005

Ey) Gregory Berlowitz Attorneys for Permittee, Beeland Group Mayer Brown LLP 71 S. Wacker Drive Chicago, IL 60606 (312) 782-0600 Fax: (312) 701-7711

Tune 4, 2003 Dated