

EXTRA! EXTRA!

Here's a fax from ...

Brooklyn *Exponent*

160 S. Main St., Brooklyn, MI 49230
Ph. 517-592-2122

ENVIR. APPEALS BOARD

MAY 22 PM 4:17

RECEIVED
EPA

For: CLERK OF THE BOARD CEAB - ERIKA DUKA

Fax number: 202-233-0121

From: ~~The Brooklyn Exponent~~ PETITIONER.
SANDRA K. YERMAN

Fax number: ~~517-592-3241~~ PHONE 517-358-2315

Date: MAY 22 2014

Regarding: UIC APPEAL 14-67 - MOTION...

Number of pages: 3 INCL COVER

Comments:

MIS DUKA
THIS IS WHAT WE TALKED ABOUT
TUE MAY 20, 2014.
ALL ENCLOSES + CERTIF. OF SERVICE
BY 1ST CLASS MAIL

CLERK OF THE BOARD

USEPA - EAB

1200 PENNSYLVANIA AVE NW

MAIL CODE 1103 M

WASHINGTON, DC 20460-0001

MAY 28, 2014

DEAR CLERK OF THE BOARD - EURIKA DURR / EAB / ETAL;
MOTION TO ALLOW FILING OF PETITION: VIC PERMIT APPEAL 14-67

I SPOKE WITH THE CLERK OF THE BOARD, EURIKA DURR, AT THE EAB FOR ABOUT 40 MIN (3 PHONE CALLS) TUE. MAY 20, 2014, AND, BECAUSE OF MY CIRCUMSTANCES (S) RE: SENDING MY PETITION TO THE USEPA EAB BY U.S.P.S. EXPRESS MAIL R. (UNITED STATES POSTAL SERVICE EXPRESS MAIL). MS. DURR STATED I MAY MAKE THIS MOTION (WITHOUT OTHER PARTIES OBJECTION OR CONCURRENCE - I ASKED TWICE) AND "JUST EXPLAIN TO THE BOARD" WHAT HAPPENED.

ON MAY 10, 2014, I SENT MY PETITION - AS ABOVE - BY USPS EXPRESS MAIL, GUARANTEED TO BE DELIVERED IN 2 DAYS AS THE EXPRESS MAIL LABEL INDICATES, (SEE ENCLOSED) TO THE "EXPRESS MAIL" ADDRESS + ZIP CODE 20004 ON THE APR 9, 2014 CERTIFIED LETTER FROM TINKA HYDE - WATER DIVISION DIRECTOR, # 7011 1150 0000 2642 5302, (WHICH I HAD TO SIGN A GREEN RETURN RECEIPT FOR) (SEE APR 9, 2014 ^{cert.} LETTER, ENCLOSED).

ON MAY 12, 2014, MY PETITION "LANDED" ON 20004 ZIP CODE, AS ADDRESSED - BUT THEN BOUNCED AROUND WASHINGTON, DC. UNTIL MAY 14, 2014 (2 DAYS LATE) WHEN IT LANDED ON ZIP CODE 20460 (A ZIP CODE DESIGNATED AS "REGULAR MAIL" ON TINKA HYDE'S APR 9, 2014 CERTIFIED LETTER).

AFTER BEING ^{OUT OF TOWN} WITH FAMILY FOR MOTHER'S DAY, I WAS STUNNED WHEN I CALLED U.S.P.S. TRACKING NUMBERS ON MAY 15, 2014 AND FOUND OUT MY PETITION ARRIVED AT CLERK OF THE BOARD / EAB 2 DAYS LATER THAN GUARANTEED BY U.S.P.S. - ON MAY 14, 2014. I IMMEDIATELY CALLED PERMIT WRITER - TIM ECKINS, AND 56X ASKED HIM "WOULD (HE) PULL UP TINKA HYDE'S CERT. LETTER AND CHECK THE ADDRESS FOR EXPRESS MAIL?" HE STATED: "(HE) CAN'T COMMENT BECAUSE (ANOTHER) APPEAL HAS BEEN FILED." AND "YOU CAN GET AN ATTORNEY IF YOU WANT TO." ? (C 312-886-0263 12:27 PM, 8 MIN. 10 SEC.). HMMM. PREVIOUSLY, IN 2013 (FOR WEST BAY'S #22 SWD), I GOT A RESPONSE TO COMMENTS ON JAN 9, 2013 AND A 2ND SERVICE OF NOTICE ON JAN. 14, 2013, EVEN THO VIC PERMIT NO 13-1 WAS FILED JAN. 8, 2013 !!!!!!

②

LIC APPEAL NO 14-67

AFTER 40 MIN. OF SPEAKING WITH MS. DURL - CLERK OF THE BOARD, I BELIEVE IT WAS UNDERSTOOD THAT BOTH "REGULAR MAIL" AND "EXPRESS MAIL" WOULD HAVE TO GO TO THE REGULAR MAIL ADDRESS - ZIP CODE 20460 - IF HANDLED BY THE USPS. (UNITED STATES POSTAL SERVICE). MS HYDE'S CERTIFIED LETTER 7011 1150 0000 2642 5302 DATED APR. 9 2014 DID NOT STATE A CORRECT U.S.P.S. - "EXPRESS MAIL" ADDRESS; THE "EXPRESS MAIL" ADDRESS STATED IN MS. HYDE'S CERTIFIED LETTER WAS CORRECT ONLY FOR FED-EX OR OTHER SUCH DELIVERY COMPANIES!

THEREFORE, I AM REQUESTING TO THE USEPA EAB (ENVIRONMENTAL APPEALS BOARD) TO FILE AND DOCKET MY LIC APPEAL NO. 14-67 FOR MAY 12 2014 (THE 3RD DAY FROM APR. 9 2014) BECAUSE:

- ① I DID NOT RECEIVE A CORRECT MATERIAL ADDRESS FOR A "U.S.P.S. EXPRESS MAIL" DELIVERY (WHICH CAUSED MY PETITION TO BE 2 DAYS LATE) PER MS. HYDE'S CERTIFIED LETTER)
- ② MY PETITION DID ARRIVE AT ZIP CODE 20044 - THE "EXPRESS MAIL" ZIP CODE ON MAY 12 2014, AS AFFIDAVIT STATES (MAY 16 2014). (SEE TRACKING INFO / W EXPRESS LABEL)
- ③ MY PETITION DID ARRIVE AT ZIP CODE 20460 - TWICE - ON MAY 12, 2014 - WHICH TURNS OUT TO BE THE CORRECT ZIP CODE FOR BOTH "REGULAR MAIL" AND "EXPRESS MAIL" HANDLED BY THE USPS!
- ④ IF NOT DOCKETED, I WILL HAVE BEEN DISFRANCHISED:
 - a. FROM HAVING MY LIC APPEAL NO. 14-67 HEARD NOW, AND
 - b. FROM BEING ABLE TO FILE AN ADMINISTRATIVE REVIEW (LAWSUIT IN COURT) LATER; THRU NO FAULT OF MY OWN.
 PLEASE ACCEPT MY LIC APPEAL NO. 14-67 TO BE FILED AND DOCKETED AS OF MAY 12, 2014 - MY GUARANTEED DATE BY USPS.

✓ ENCLOSURES:

- USPS EXPRESS LABEL, TRACKING.
- APR 9 2014 CERTIFIED LETTER
- AFFIDAVIT - ORIGINAL COPY.

* AFFIDAVIT: ON MAY 16, 2014, I CREATED AN "AFFIDAVIT" WHICH STATED INFO (ON Pg. 1 TP 2 AND 3) AND FAXED THAT TO: EAB - CLERK OF THE BOARD, REG. SCOUNSEL ROBERT KAPLAN, RA. SUSAN HEDMAN (SEE ORIGINAL COPY - ENCLOSED)

Sincerely,

X Sandra K. Yerman

SANDRA K. YERMAN

6600 RIVERSIDE RD

BROOKLYN, NY 49230.