

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



MIKE COX  
ATTORNEY GENERAL

P.O. Box 30755  
LANSING, MICHIGAN 48909

September 19, 2008

**Via First Class Mail and Electronic Submission**

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

Dear Clerk:

Re: Northern Michigan University  
Permit Number: 60-07  
Appeal Number: PSD 08-02

Enclosed for filing is a Notice of Counsel Who Will Present Oral Argument on Behalf of the Michigan Department of Environmental Quality with a proof of service. We are also submitting the enclosed documents electronically.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil D. Gordon", followed by a horizontal line.

Neil D. Gordon (P56374)  
Assistant Attorney General  
Environment, Natural Resources  
and Agriculture Division  
(517) 373-7540  
Attorney for Respondent the Michigan  
Dept. of Environmental Quality

Encs.

c: Counsel of Record  
Mary Ann Dolehanty, MDEQ

LF:NorthernMichUnivSierraClub-ClerkLet-

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

\_\_\_\_\_  
In the Matter of  
Northern Michigan University  
\_\_\_\_\_

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)  
) Permit Number: 60-07  
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)

) Appeal Number: PSD 08-02  
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**PROOF OF SERVICE**

On Friday, September 19, 2008, I sent by first-class mail a copy of the NOTICE OF COUNSEL WHO WILL PRESENT ORAL ARGUMENT ON BEHALF OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY to:

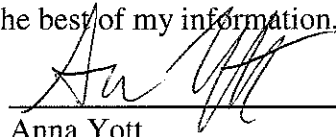
David C. Bender  
Garvey McNeil & McGillivray, S.C.  
634 West Main Street  
Suite 101  
Madison, WI 53703

Bruce Niles  
Sierra Club, National Coal Campaign  
112 West Washington Ave, Suite 830  
Madison, WI 53703

Kevin J. Finto  
Hunton & Williams LLP  
951 East Byrd Street  
Richmond, Virginia 23219-4074

James W. Rubin  
Hunton & Williams LLP  
1900 K Street, N.W.  
Washington, D.C. 20006

I declare that the above statement is true to the best of my information, knowledge and belief.

  
\_\_\_\_\_  
Anna Yott

LF:NorthernMichUnivSierraClub-POS

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

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**NOTICE OF COUNSEL WHO WILL PRESENT ORAL ARGUMENT ON BEHALF OF  
THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

NOW COMES respondent the Michigan Department of Environmental Quality (MDEQ),  
by and through its attorneys, Michael A. Cox, Attorney General of the State of Michigan, and  
Neil D. Gordon, Assistant Attorney General, and, pursuant to the Order Scheduling Oral  
Argument filed on September 17, 2008, hereby notifies the Clerk of the Environmental Appeals  
Board that Neil D. Gordon will present oral argument on behalf of the MDEQ on October 22,  
2008.

Respectfully submitted,

Michael A. Cox  
Attorney General



Neil D. Gordon (P56374)  
Assistant Attorney General  
Environment, Natural Resources  
and Agriculture Division  
P.O. Box 30755  
Lansing, MI 48909  
(517) 373-7540  
Attorney for Respondent the  
Michigan Department of  
Environmental Quality

Date: September 19, 2008