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 MERITAS LAW FIRMS WORLDWIDE

August 12, 2005

FACSIMILE AND FEDERAL EXPRESS

Eurika Durr, Clerk of the Board
Environmental Appeals Board
United States Environmental Protection Agency
1341 G Street, NW, Suite 600
Washington, D.C. 20005

Re: Appeal No. UIC 05-01
Sunoco Partners Marketing & Terminals, L.P.
Permit No. MI-163-3G-A002


Dear Ms. Durr:

We represent Sunoco Partners Marketing & Terminals, L.P. ("SPMT"), whose permit is the subject of this appeal. Pursuant to 40 CFR Part 124 and the procedures of the Environmental Appeals Board, SPMT respectfully moves pursuant to the enclosed motion that it be authorized to participate in this proceeding in all respects, including that SPMT should have an opportunity to address all issues pertaining to the petition for review. Please confirm approval of this motion and provide us with the schedule for briefing.

Very truly yours,

MILLER JOHNSON

By


Dustin P. Ordway

DPO:kab
Enclosure
cc w/encl:

Bruce D. Davis, Jr. (by US Mail)
Ann M. Justice (by US Mail)
Monesh Chabria, EPA Region 5 (by US Mail)
James Curtin, EPA Office of General Counsel (by US Mail)
William C. Fulkerson, Warner, Norcross & Judd (by US Mail)

$\frac{1}{\sqrt{\pi}} \int_{-\infty}^{\infty} f(x) \delta(x-a) dx = f(a)$

UIC Appeal No. 05-01

We understand that an extension has been granted to U.S. EPA, Region 5, for the submission of its papers on this appeal. The participation by SPMT will not complicate or delay the review of this appeal as SPMT is fully apprised of the facts concerning the underlying permit and can address issues raised by EDS's challenge promptly. SPMT is not aware whether the petition for review will be rejected or allowed to proceed. SPMT wishes to be heard why the petition does not merit review.

The practice and procedures of the Environmental Appeals Board provide for participation by a permittee in an appeal from or challenge to a permit by other parties like EDS. SPMT wishes to participate now and to provide comment on the petition by EDS.

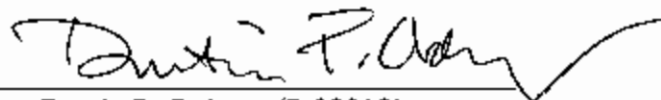
SPMT respectfully requests the approval of this motion and a schedule for SPMT to comment on, and participate in the review of this challenge to, its permit.

Respectfully submitted,

MILLER JOHNSON
Counsel for SPMT

Dated: August 12, 2005

By



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