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ENVIR. APPEALS BOARD

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TO:	Eurika Durr, Clerk of the Board Company: Environmental Appeals Board	FAX NO:	(202) 233-0121
		DATE:	August 12, 2005
FROM:	Dustin P. Ordway Direct Phone: (616) 831-1706 Direct Fax: (616) 988-1706	Original follows by regular mail: Federal Express	
RE:	Appeal No. UIC 05-01 Sunoco Partners Marketing & Terminals, LP Permit No. MI-163-3G-A002	NUMBER OF PAGES:	4

MESSAGE: Please see attached.

PLEASE NOTIFY THE SENDER AT 616.831.1964 IF ALL PAGES ARE NOT RECEIVED

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MERITAS LAW FIRMS WORLDWIDE

August 12, 2005

FACSIMILE AND FEDERAL EXPRESSEurika Durr, Clerk of the Board
Environmental Appeals Board
United States Environmental Protection Agency
1341 G Street, NW, Suite 600
Washington, D.C. 20005Re: 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)

U.S. EPA

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ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C.

In re:

SUNOCO PARTNERS MARKETING &
TERMINALS, L.P. ("SPMT"); Inkster
Facility; Underground Injection Control
Class II Permit
Permit No. MI-163-3G-A002

UIC Appeal No. 05-01

MOTION TO PARTICIPATE IN APPEAL

Sunoco Partners Marketing & Terminals, L.P. ("SPMT"), by its counsel Beveridge & Diamond P.C. and Miller Johnson, moves for authorization to participate in this proceeding and address all issues pertaining to the petition for review filed by counsel for Environmental Disposal Systems ("EDS") challenging the SPMT cavern expansion permit.

As permittee, SPMT has a strong interest in the defense of its permit. The permitted cavern expansion is integral to SPMT's business. SPMT therefore wishes to address the challenges to its permit by EDS, including any procedural aspect of the petition and the substance of the petition. SPMT can assist the Environmental Appeals Board in its review of this matter as SPMT is familiar with the permit and the business to which it pertains.

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.

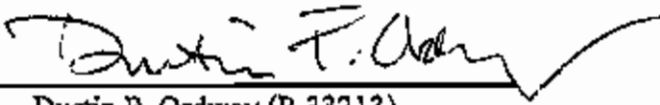
The practice and procedures of the Environmental Appeals Board provide for participation by a permittee in an appeal from or challenge to a permit by other parties like EDS. SPMT wishes to participate now and to provide comment on the petition by EDS.

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 
Dustin P. Ordway (P-33213)

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