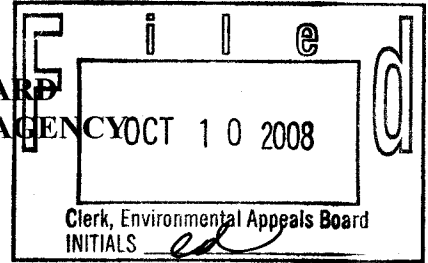


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____))
In re:))
Northern Michigan University) PSD Appeal No. 08-02
Ripley Heating Plant))
PSD Permit No. 60-07))
_____)

ORDER

By order of September 8, 2008, the Environmental Appeals Board directed the Sierra Club, petitioner in the above-captioned matter, to file by Wednesday, October 1, 2008, any reply to Northern Michigan University's brief in response to the petition for review. The Sierra Club filed a reply but did so on Friday, October 3, 2008, without explanation or acknowledgment of the reply's untimeliness, and with no timely efforts to seek modification of the filing deadline.

Accordingly, petitioner's reply brief is not accepted for filing, and it may not be referenced in the upcoming oral argument or in any further proceedings in this case.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: October 10, 2008

By: Charles J. Sheehan
Charles J. Sheehan
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order** in the matter of *Northern Michigan University, Ripley Heating Plant*, PSD Appeal No. 08-02, were sent to the following persons in the manner indicated:

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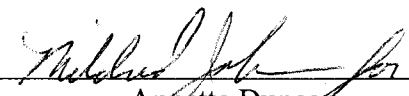
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Date: OCT 10 2008


Annette Duncan
Secretary