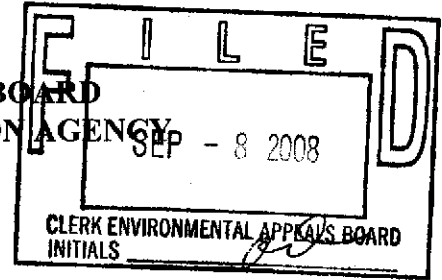


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



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

**ORDER GRANTING MOTION  
TO INTERVENE**

By motion filed September 5, 2008, Northern Michigan University (“NMU”) seeks leave to intervene as a party in the above-captioned matter. NMU is the permit holder of the Clean Air Act Prevention of Significant Deterioration (“PSD”) permit being challenged in this case and thus has a significant interest in this proceeding. NMU states that it is aware that briefing has been completed in this case but contends that its participation would nonetheless be of value to the Environmental Appeals Board’s decisionmaking process. NMU requests an opportunity to provide its “unique perspectives on the issues, including the planned operating parameters and technologies chosen, and the impacts that petitioner’s arguments would have on the proposed construction and operation of the boiler and on NMU in general.” Motion at 1-2.

NMU proposes to file its response to the petition for review within two weeks of the granting of the pending motion and suggests that the Sierra Club, the petitioner, and the Michigan Department of Environmental Quality (“MDEQ”), the permit issuer, be given a “reasonable period of time” to reply to the response. *Id.* at 2. NMU reports that it contacted both the Sierra Club and MDEQ regarding this motion and that, while MDEQ has no objection to the motion, the Sierra Club indicated that it would oppose the motion. *Id.*

As the holder of a PSD permit authorizing the construction of a new boiler at its Ripley Heating Plant, NMU possesses a protectable legal interest in this matter that is independent of the interests of MDEQ and may not be adequately represented by MDEQ. NMU's ability to proceed with the proposed project as currently permitted may be affected by the disposition of this matter. Accordingly, for good cause shown, NMU's motion to intervene as a party in this matter is hereby **GRANTED**. NMU must file its response to the petition for review on or before **Monday, September 22, 2008**, and the Sierra Club and MDEQ may file replies to NMU's response, if they wish to do so, on or before **Wednesday, October 1, 2008**.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: Sept. 8, 2008

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

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Motion to Intervene** 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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Date: SEP -8 2008



Annette Duncan  
Secretary