

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

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ENVIR. APPEALS BOARD

IN RE:)
)
Beeland Group, LLC)
)
Underground Injection Control (UIC))
Permit No. MI-009-11-0001)
_____)

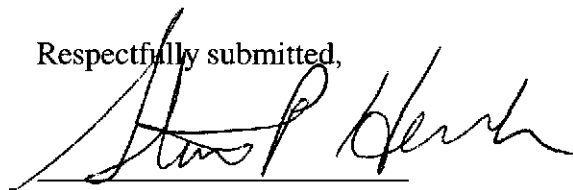
Appeal Nos. UIC 08-01,
08-02,
08-03

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 5
RESPONSE TO PETITIONERS' REPLY BRIEF**

At the request of this Board, on June 12, 2008, the United States Environmental Protection Agency, Region 5 (Region 5) filed a response to the Petition for Review of Region 5's February 7, 2008, decision granting an Underground Injection Control (UIC) permit to Beeland Group, LLC (Beeland).

On June 30, 2008, the Petitioners filed a Motion for Leave to File Reply Brief. This Board has not ruled on whether to accept Petitioners' proposed Reply for filing. After reviewing the Petitioners' Reply, Region 5 does not believe any new issues have been raised that warrant a response. Region 5 stands by its existing filings, which explain why the Petition for Review did not raise any issue of fact, law or policy meriting the Board's review.

Respectfully submitted,



Stuart P. Hersh
Associate Regional Counsel
U.S. EPA, Region 5
77 W. Jackson Blvd.
Chicago, Illinois 60604-3590

Dated: July 10, 2008

CERTIFICATE OF SERVICE

I hereby certify that I delivered a copy of the foregoing United States Environmental Protection Agency, Region 5, Response to Petition for Review to the persons designated below, on the date below, by postage prepaid, first class mail addressed to:

Susan Hlywa Topp
Topp Law PLC
P.O. Box 1977
Gaylord, Michigan 49734-5977

Charles H. Koop
Prosecuting Attorney for Antrim County
P.O. Box 280
Bellaire, Michigan 49615

Roger W. Patrick
Mayer Brown LLP
1909 K Street, N.W.
Washington, D.C. 20006-1101

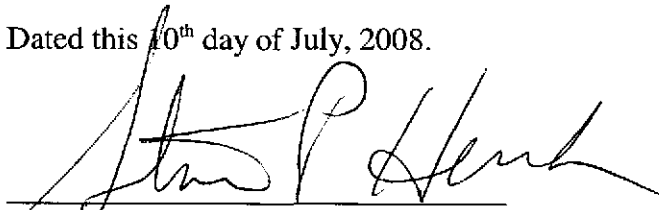
Susan E. Brice & Gregory L. Berlowitz
Mayer Brown LLP
71 S. Wacker Drive
Chicago, Illinois 60606

Joseph E. Quandt
Gina A. Bozzer
Co-counsel for Permittee, Beeland Group
412 South Union Street
Traverse City, Michigan 49685

I also certify that I filed the original and five copies of the foregoing United States Environmental Protection Agency, Region 5, Response to Petition for Review with the Clerk of the Environmental Appeals Board, on the date below by overnight Federal Express prepaid, addressed to:

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

Dated this 10th day of July, 2008.



Stuart P. Hersh
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Blvd.
Chicago, Illinois 60604



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

July 10, 2008

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

REPLY TO THE ATTENTION OF:

ENVIR. APPEALS BOARD

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RECEIVED
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Re: Beeland Group, LLC
Beeland Disposal Well # 1; Permit Number: MI-009-11-0001
Appeal Numbers: UIC 08-01, 08-02, and 08-03

Dear Ms. Durr:

Enclosed please find an original and 5 copies of the Response to Petitioners' Reply on behalf of the U. S. Environmental Protection Agency, Region 5, regarding the appeal numbers UIC 08-01, 08-02, and 08-03, relating to the Beeland Group Disposal Well #1, permit number MI-009-11-0001. Thank you for your attention to this matter.

Sincerely,

Stuart P. Hersh
Associate Regional Counsel

Enclosures

cc w/ encl:

Susan Hlywa Topp
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P.O. Box 1977
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