



EPA Safe Environmental - JLLP #929-8 -- PRIVILEGED COMMUNICATION

Patrick Thomas

to:

Eurika Durr

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From: Patrick Thomas <Pat.Thomas@janiklaw.com>

received
2/9/12

To: Eurika Durr/DC/USEPA/US@EPA

Ms. Durr,

Thank you for taking the time to speak with me this morning regarding filing of our 106(b) Petition on behalf of Safe Environmental Corporation of Indiana before the Environmental Appeals Board ("EAB").

As I requested regarding submission of the Exhibits that accompany the Petition, you have authorized that I may forward the Exhibits, due to their large size, for filing by overnight U.S. Express Mail today, February 9, 2012, so that they will be received by the EAB Office of the Clerk tomorrow, February 10, 2012. These will be sent to your attention to:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
Ronald Regan Building, EPA Mail Room
1300 Pennsylvania Avenue, N.W.
Washington, DC 20004

We consider our filing deadline to be Monday, February 13, 2012. It is our intention to (1) file the Petition itself (without the exhibits which will have been already received) electronically by 11:59 on Monday, February 13, 2012, on the Central Data Exchange by portable document format (pdf) and (2) to submit a hard copy of the electronically filed Petition by overnight mail so that it is received by the EAB Clerk the following day, February 14, 2012 as instructed by 40 CFR 22.5 and EAB Electronic Submission requirements identified at the website: http://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/General+Information/Electronic+Submission?OpenDocument

The hard copy of the Petition identified in No. (2) above will be sent to your attention to:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
Ronald Regan Building, EPA Mail Room

1300 Pennsylvania Avenue, N.W.
Washington, DC 20004

Pursuant to 40 CFR 22.5, electronic filing of the Petition and Exhibits will therefore be considered timely filed by February 13, 2012 and both Petition (filed electronically on February 13, 2012) and Exhibits (filed by overnight mail on February 9, 2012) will be part of the record before the EAB.

Please let me know if I have not correctly understood your instructions. Thank you for your kind assistance in this matter.

Regards,

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