

Robert H. Smith
Associate Regional Counsel
US EPA
77 W. Jackson Blvd (C-14J)
Chicago, IL 60604

September 17, 2013

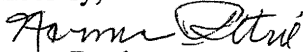
RESPONSE TO REGION 5 MOTIONS
Appeal No. UIC 13-03

The September 12, 2013 letter from Mr. Smith requests a Motion for Extension of Time, apparently because I did not send a copy of my Petition Seeking Board Review to the Regional office. I followed the requirements as listed on Page 13 of the Region's Response to Comments dated July 25, 2013. I did read and follow 40 CFR 124.19. The requirement Mr. Smith refers to states that documents must be served on all parties, once an appeal is docketed. I did not know that the appeal was docketed. He indicated that he emailed me on August 26, 2013 about this but I did not receive that email. Also required in the same section to which he refers [40CFR 124.19(i)(3)(4)], is an agreement by all parties if documents are to be served by electronic means, to which I do not agree.

The letter also requests a Motion to Deny Review of Petition, and Mr. Smith's letter suggests that my Petition Seeking Board Review contains comments that were newly brought up and hence, inappropriate. I disagree, since my Petition is a follow-up to the document developed by Region 5 as a response to the Remand Order; Region 5 itself brought up all the issues in my Petition as part of the Remand Order. I could not have commented on these issues in my initial Administrative Review request (dated September 16, 2012) because I did not receive the Region 5 Response to Remand Order document until July 2013. I did not receive copies of information used by Region 5 to approve that permit, and I did not receive copies of all public comments, until after my Administrative Review request and therefore could not have included comments related to those documents in that request.

I do not concur with either the Motion for Extension of Time or the Motion to Deny Review of Petition.

Sincerely,


Norma Petrie
5169 St. Johns Road
East Jordan, MI 49727
231-350-1110

CERTIFICATE OF SERVICE: I certify today that I am mailing copies of this letter to:

1) Clerk of the Board
Environmental Protection Agency

2) Natalie Schrader
Chevron Michigan

RECEIVED
U.S. EPA
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1:42 PM
ENVIR. APPEALS BOARD