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ENVR. APPEALS BOARD

2013 APR 22 AM 8:49

RECEIVED
U.S. E.P.A.

To: EURIKA DURK From: SANORA K. YERMAN
 Fax: 202-233-0121 Date: APR 19, 2013
 Phone: 202-233-0122 Pages: 3 (including cover sheet)
 Re: UIC APPEAL NO. 13-2

Urgent For Review Please Comment Please Reply Please Recycle

•Comments: If you do not receive the stated number of pages or if there is any problem in the transmission, please call (517) 905-1369

•Message:

Hi. EURIKA. PLEASE GIVE TO EAB THREE PANEL
ASAP!

U.S. EPA
ENVIRONMENTAL APPEALS BOARD

APR. 19, 2013

WEST BAY EXPLORATION CO.
JACKSON, MI WEST BAY #22
VIC PERMIT NO. MI-075-2D-0009.

BY FIRST CLASS MAIL
BY FAX 202-233-0121
VIC APPEAL NO 13-2

PAGE I.

TO THE EAB: (ETAL)

MOTION FOR CLARIFICATION AND REQUEST FOR EXPLANATION RE:
"ORDER DISMISSING PETITIONS FOR REVIEW AS MOOT"

ON FRI. APR. 19, 2013, I RECEIVED, BY CERTIFIED LETTER
NO. 7003 1680 0000 5220 4930, FROM THE EAB THREE-MEMBER
PANEL, THE ABOVE "ORDER DISMISSING PETITIONS FOR
REVIEW AS MOOT." THIS CERTIFIED LETTER, DATED APR. 16, 2013,
FOLLOWED A PREVIOUS CERTIFIED LETTER, FROM THE WATER
DIVISION DIRECTOR - TINKA HYDE, DATED APR. 8, 2013,
I RECEIVED ON MON. APR. 15, 2013, WHICH WAS HEADED BY:
"WITHDRAWAL OF PERMIT BY REGIONAL ADMINISTRATOR
WEST BAY EXPLORATION COMPANY, JACKSON COUNTY MICHIGAN
PERMIT NUMBER: MI-075-2D-0009.
VIC APPEAL NOS. 13-01, 13-02."

AS HAPPY AS I WAS / AM TO SEE A WITHDRAWAL OF WEST BAY'S
VIC PERMIT, AS ABOVE, I AM TODAY WORRIED THAT THERE MAY
HAVE BEEN A PROCEDURAL ERROR DONE BY THE R.A. / WATER
DIV. DIRECTOR THAT WEST BAY'S COUNSEL / ATTORNEYS COULD
EASILY OVERCOME AND REVERSE - AND MY PETITION FOR REVIEW
WILL BE LEFT TWISTING - IN-THE-WIND AS "MOOT" - WITHOUT
EVER HAVING BEEN CONSIDERED BY THE EAB THREE-MEMBER
PANEL, ETAL! ? (BY THE WAY, ^{THAT} EX. COULD BE A VIOLATION
OF MY CIVIL RIGHTS, ETC. IN MY HUMBLE OPINION. (IMHO.)
NOW, THE R.A. / W.D.D. (TOOK ITS / THEIR ACTION) UNDER 40 CFR
124.19 (j), WHICH ALLOWS THE RIA TO WITHDRAW A PERMIT
"... AT ANY TIME PRIOR TO 30 DAYS AFTER THE R.A. FILES ITS

U.S. EPA
ENVIRONMENTAL APPEALS BD

APR. 19, 2013

RE: WEST BAY EXPLORATION CO.
JACKSON, ME WEST BAY #22
UIC PERMIT NO. ME-075-2D-0009.
(CONTINUED - PAGE II OF II)

BY FIRST CLASS MAIL
BY FAX 202-233-0121
UIC APPEAL NO. 13-2

RESPONSE TO THE PETITION FOR REVIEW...

RE: UIC APPEAL NO. 13-1, FROM THE FEB. 25, 2013 RESPONSE BY THE RIA, TIL THE APR. 8, 2013 WITHDRAWAL OF WEST BAY'S UIC PERMIT - 42 DAYS HAD ELAPSED MAKING THAT APPEAL EXAMPLE N/A TO THE 40 CFR 124.19(j) RULE.

RE: UIC APPEAL NO. 13-2, SINCE THERE WAS NO RESPONSE BY THE RIA, UP TIL APR 8, 2013 WITHDRAWAL OF WEST BAY'S UIC PERMIT - 0 DAYS HAD ELAPSED, AND SINCE IT APPEARS "THE REGION (WAS REQUIRED TO FILE) ITS RESPONSE TO THE PETITION FOR REVIEW" - AND DID NOT - MY APPEAL EXAMPLE APPEARS TO BE N/A TO THE 40 CFR 124.19(j) RULE, ALSO, TELL ME IF I'M WRONG THE EAB'S CERT. LETTER DATED APR. 16, 2013, GOES ON...

"(1) NOTHING IN THIS REGULATION PREVENTS THE REGION FROM SEEKING TO WITHDRAW THE PERMIT BY MOTION AT ANY TIME." WAS THAT DONE?

Q. THEREFORE, I AM ASKING THE EAB, IS THERE ANY "MOTION" RE: A WITHDRAWAL OF UIC PERMIT NO. ME-075-2D-0009 IN EXISTENCE; AND IF THERE IS SUCH A "MOTION", I AM REQUESTING A PAPER COPY OF THAT "MOTION" TO WITHDRAW WEST BAY'S UIC PERMIT NO. ME-075-2D-0009, ASAP! FURTHER, THE EAB'S CERT. LETTER GOES ON... "AS PART OF ITS WITHDRAWAL OF THE PERMIT, THE REGION NOTIFIED...

(YA-DA, YA-DA, YA-DA); BUT, IS THERE ANOTHER "PART(S)" THAT I DON'T HAVE? (EMPHASIS ADDED TO THE WORD - "PART")

Q. I AM REQUESTING A PAPER COPY OF ALL "PARTS" OF THE WITHDRAWAL OF UIC PERMIT NO. ME-075-2D-0009 DONE BY THE RIA ETAL ON APR. 8, 2013 - A PAPER COPY!
THANK YOU FOR YOUR CONSIDERATION RE: MY CIVIL RIGHT TO APPEAL!

Sandra K. Yerner
PETITIONER
6600 RIVERSIDE
BROOKLYN ME 49730
577-358-2515