



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

APR 8 2013

REPLY TO THE ATTENTION OF:

WU-16J

Re: Withdrawal of Permit by Regional Administrator  
West Bay Exploration Company, Jackson County, Michigan  
Permit Number: MI-075-2D-0009  
UIC Appeal Nos. 13-01, 13-02

Dear Sir or Madam:

The U.S. Environmental Protection Agency is withdrawing the final underground injection permit that it issued for the West Bay #22 well, Permit No. MI-075-2D-0009. EPA is withdrawing this permit in its entirety. EPA will prepare a new draft permit for this well, pursuant to 40 C.F.R. § 124.6. EPA is taking this action under 40 C.F.R. § 124.19(j), which allows EPA to withdraw a permit and prepare a new draft permit before a certain stage of the permit appeal proceedings regarding a well's permit.


You are receiving this letter because you 1) are on EPA's mass mailing list for draft permits in the State of Michigan; 2) provided comments regarding the draft permit for this well; 3) petitioned the Environmental Appeals Board to review the permit for this well; 4) are the Environmental Appeals Board; or 5) are the permit applicant, West Bay Exploration Company. This letter and decision do not require any action on your part regarding the new draft permit for this well. When EPA issues the new draft permit for this well, EPA will provide you and the general public with notice of this event and the opportunity to provide public comment regarding that draft permit.

The Safe Drinking Water Act authorizes EPA to regulate the underground injection of fluids through wells, to protect underground sources of drinking water. EPA classifies the proposed West Bay #22 well as a Class II non-hazardous brine disposal well. Class II wells are typically used to inject fluids that result from oil and gas production into the ground. West Bay Exploration Company proposed to use this well to dispose of brine deep beneath the earth's surface.

For more information and for answers to Frequently Asked Questions about this permit, please check EPA's website at [www.epa.gov/region5/water/uic/uicpub.htm](http://www.epa.gov/region5/water/uic/uicpub.htm). You may also contact Anna Miller, permit writer, at (312) 886-7060.

Sincerely,

A handwritten signature in black ink, appearing to read "Tinka G. Hyde", with a long horizontal flourish extending to the right.

 Tinka G. Hyde, Director  
Water Division

cc: Environmental Appeals Board  
Tim Baker, West Bay Exploration Company  
Mass mailing list  
Public commenter list (MI-075-2D-0009)

**CERTIFICATE OF SERVICE**

**Appeal Nos. UIC 13-01, 13-02**

**West Bay Exploration Company  
West Bay 22 SWD  
UIC Permit MI-075-2D-0009**

I hereby certify that on this 8th day of April, 2013, I: 1) electronically filed the foregoing Notice of Permit Withdrawal with the Environmental Appeals Board, via Central Data Exchange; and 2) caused to be mailed a true and correct copy to persons including the Petitioners and the permittee, by certified mail, return receipt requested, addressed as follows:

Peter Bormuth  
142 W. Pearl St.  
Jackson MI 49201

**Certified Mail No. 7009 1680 0000 7661 7048**

Sandra K. Yerman  
6600 Riverside Rd.  
Brooklyn MI 49230

**Certified Mail No. 7009 1680 0000 7661 7055**

West Bay Exploration Company  
13685 West Bay Shore Dr Ste 200  
Traverse City MI 49684

**Certified Mail No. 7001 0320 0006 1453 7601**



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Kris P. Vezner  
Associate Regional Counsel  
U.S. EPA, Region 5