



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

VIA CENTRAL DATA EXCHANGE AND OVERNIGHT EXPRESS MAIL

January, 14, 2011

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

Re: Peabody Black Mesa NPDES Permit No. NN0022179
Region 9's Opposition to Petitions for Review
NPDES Appeal Nos. 10-15 & 10-16

Dear Ms. Durr:

In response to your letter to Nancy J. Marvel on November 5, 2010 and the Environmental Appeals Board's November 4, 2010 Order Accepting Supplemental Brief for Filing and Granting Permittee Permission to Respond to Petitions, in connection with the above-referenced NPDES permit appeals, I am today filing electronically (via CDX) and sending via overnight express mail the following documents: (1) the Response of Region 9 to the Black Mesa Petitions for Review (including the Certificate of Service); (2) Certified Index to Region 9's Administrative Record for the Black Mesa Permit; (3) the Administrative Record for the Black Mesa Permit.

If you have any questions please contact me at (415) 972-3923

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Brown", written over a horizontal line.

Samuel L. Brown
Assistant Regional Counsel
75 Hawthorne Street (ORC-2)
San Francisco, CA 94105
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E-mail: brown.samuel@epa.gov

cc: Recipients on Certificate of Service