

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

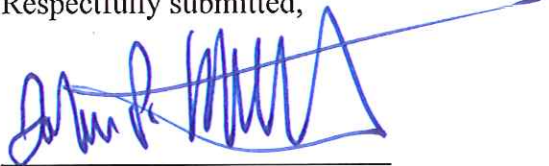
<b>In the Matter of:</b>	)	
<b>West Bay Exploration Co., Haystead #9 SWD, Permit No. MI-075-2D-0010</b>	)	<b>UIC Appeal No. UIC 18-01</b>

**EPA REGION 5 RESPONSE TO MOTION FOR CLARIFICATION**

Region 5 of the United States Environmental Protection Agency (the Region) hereby responds to the May 10, 2018 Motion for Clarification (Motion) filed with the Environmental Appeals Board (EAB or Board), under 40 C.F.R. § 124.19, by Mr. Peter Bormuth (Petitioner). On November 11, 2016, Petitioner submitted to the Regional Administrator a Request for Termination of an Underground Injection Control (UIC) permit (Request for Termination) issued by the Region to the West Bay Exploration Company, Traverse City, Michigan (Permittee) under Part C of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300h -300h-8. The permit is for a UIC well, known as the Haystead #9 SWD, located in Jackson County, Michigan (Haystead #9 SWD), Permit No. MI-075-2D-0010 (Haystead #9 Permit). On January 16, 2018 Petitioner filed an Informal Letter of Appeal (Informal Appeal) with the Board in the above-captioned matter. On February 1, 2018, the EAB issued an Order for Additional Briefing in the matter and on February 14, 2018, the Region filed a Response to Petitioner’s Informal Appeal (Response). On February 26, 2018 Petitioner filed a Reply to the Region’s Response. On April 26, 2018, the Board dismissed Petitioner’s Informal Appeal.

Petitioner's Motion asks the Board to specify a time frame for the Region to issue a decision on Petitioner's Request for Termination. The Region's only response to the Petitioner's request is to state that, consistent with the Board's expectations set forth in the EAB's April 26, 2018 opinion, the Region: is evaluating the Petitioner's Request for Termination; intends to complete its analysis of the Petitioner's Request for Termination; and will issue a final decision on that request.

Respectfully submitted,



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U.S. Environmental Protection  
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Dated this **16th day of May, 2018.**

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**In the Matter of:** )  
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**West Bay Exploration Co.,** )  
**Haystead #9 SWD,** )  
**Permit No. MI-075-2D-0010** )  
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**UIC Appeal No. UIC 18-01**

**CERTIFICATE OF SERVICE**

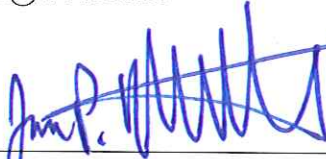
I hereby certify that the original of the attached **EPA REGION 5 RESPONSE TO MOTION FOR CLARIFICATION** in the matter of **WEST BAY EXPLORATION CO., HAYSTEAD #9 SWD, PERMIT NO. MI-075-2D-0010**, EAB Appeal No. **UIC 18-01**, was filed today with the Board electronically, via the EAB's eFiling System.

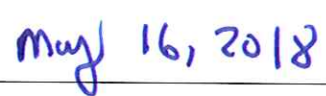
Further, I hereby certify that one copy of the attached **EPA REGION 5 RESPONSE TO MOTION FOR CLARIFICATION** in the matter of **WEST BAY EXPLORATION CO., HAYSTEAD #9 SWD, PERMIT NO. MI-075-2D-001**, EAB Appeal No. **UIC 18-01**, was sent to the Petitioner and Permittee via regular mail, with an additional copy by email, to the following addresses:

Peter Bormuth  
142 West Pearl Street  
Jackson, Michigan 40201  
earthprayer@outlook.com

and

Timothy Baker  
West Bay Exploration Company  
13685 South West Bay Shore Drive, Suite 200  
Traverse City, Michigan 49684  
tim@wbeco.net

  
\_\_\_\_\_  
John P Steketee

  
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Date