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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 16<sup>TH</sup> STREET - SUITE 300  
DENVER, CO 80202-2466  
Phone 800-227-8817  
<http://www.epa.gov/region08>

CIVIL APPEALS BOARD

Ref: SRC

AUG - 3 2005

Ms. Eureka Durr, Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board 1103B  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-0001

RE: Antelope Creek Steamflood Pilot Project  
Permit Number: UT20960-0000  
Appeal Number: UIC 05-02

EPA Motion for An Extension of Time to Submit EPA's Response Not Seeking  
Summary Disposition But Responding to the Merits of the Petition

Dear Ms. Durr:

I am in receipt of your letter dated July 27, 2005 regarding the petition filed by the Western Resources Advocates which requests that the Board review an EPA Region 8 UIC permit decision. Your letter requested that my office prepare a response to the Petitioner's contentions and indicate whether the Petitioner has satisfied the requirements for obtaining review under 40 C.F.R. 124.19.

We do not intend to submit a response seeking summary disposition of the petition. Instead, we plan to submit a response not seeking summary disposition, but responding to the merits of the petition. Your letter requests such response by August 25, 2005. We respectfully request a three month extension of time, until November 25, 2005, to submit EPA's response. We request this extension because there are several different statutes (Safe Drinking Water Act, National Environmental Policy Act, National Historic Preservation Act and Endangered Species Act) and EPA programs implicated in the petition, we will need sufficient time to fully evaluate and respond to the petition.

On August 2, 2005, we contacted Sean Phelan, attorney for the Petitioner and he indicated that the group does not object to our request for an extension, considering that under 40 C.F.R. § 124.16(a)(1), the permit is stayed pending final agency action on this appeal.



Please note that Kimi Matsumoto of my office will be the attorney of record on this matter. She may be reached at 303-312-6875. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'William R. Ward', with a large, sweeping flourish extending to the left.

William R. Ward  
Regional Counsel  
Office of Regional Counsel  
U.S. EPA, Region 8  
999 18<sup>th</sup> Street, Suite 300  
Denver, CO 80202-2466

cc: Sean Phelan and Joro Walker, Western Resource Advocates