



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

September 30, 2009

REPLY TO THE ATTENTION OF:

C-14J

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

VIA FEDERAL EXPRESS – NEXT DAY DELIVERY

Re: *Rocky Well Service, Inc., and Edward J. Klockenkemper*; Appeal Nos:
08-03 & 08-04; Appellee's Acceptance of Invitation to Participate in the
Environmental Appeals Board's Pilot ADR Program

Dear Ms. Durr:

In response to your September 18, 2009 letter, please be advised that the Appellee in the above-captioned matter, the United States Environmental Protection Agency (Appellee) is interested in participating in the Environmental Appeals Board's (EAB's or the Board's) alternative dispute resolution (ADR) pilot program for this matter.

Appellee, through the undersigned, and Appellants, Rocky Well Service, Inc. and Edward J. Klockenkemper (jointly referred to as Appellants), through counsel Mr. Gomez, have communicated with each other on the subject of the Board's ADR pilot program regarding this matter over the past few days. It is my understanding that the Appellants will be providing the EAB with their own, separate response to the Board's invitation to participate in ADR. Therefore, Appellee is expressing only its own willingness to participate in the EAB's pilot ADR program regarding the above-described matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary T. McAuliffe".

Mary T. McAuliffe
Associate Regional Counsel

cc: Felipe N. Gomez, Esq.
Richard Day, Esq.