



WESTERN RESOURCE ADVOCATES

Advancing Solutions for the Western Environment

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ENVIR. APPEALS BOARD

July 21, 2005

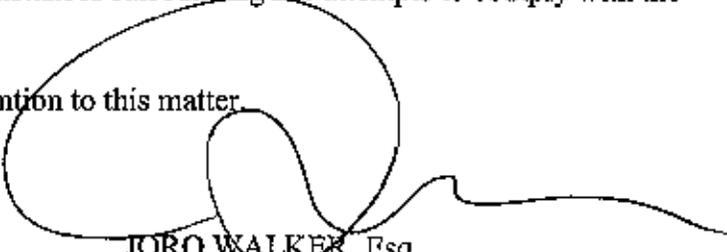
Clerk of the Board
U.S. EPA
Environmental Appeals Board
1341 "G" Street, NW
Suite 600
Washington, D.C. 20005

Dear Clerk of the Board,

We spoke on the telephone today about the fact that our appeal of Region 8's UIC Area Permit No. UT20960-00000, which we FedEx'ed to you on July 13, 2005, was returned to us today. As per our conversation, I am returning the appeal to you in the packaging in which it was returned to us. As we discussed, I have also enclosed the "instruction" sheet explaining that we should mail our appeal to EPA's Ariel Rios address.

I believe that we will get this appeal to you within the relevant deadline – the letter accompanying the permit is dated June 23, 2005. However, if not, please consider it served on time, based on the circumstances surrounding our attempts to comply with the appeal instruction sheet.

Thank you very much for your attention to this matter.



JORO WALKER, Esq.
Director, Utah Office

ADMINISTRATIVE REVIEW (40 CFR §124.19)

1. Within 30 days after a final permit decision has been issued, any person who filed comments on the tentative permit decision or participated in any public hearing on such decision may petition the Administrator to review any condition of the final permit decision.
2. Any person who failed to file comments or participate in any public hearing on the tentative permit decision may petition for administrative review only to the extent of the changes from the tentative to the final permit decision.
3. The petition must include a statement of the reasons supporting that review, including a demonstration that any issues being raised in the petition were previously raised during the public comment period or during any public hearing and, when appropriate, a showing that the condition in question is based on:
 - a. a finding of fact or conclusion of law which is clearly erroneous; or
 - b. an exercise of discretion or an important policy consideration which that Environmental Appeals Board should, in its discretion, review.
4. Such a request must be made within thirty (30) days of service of notice of the Regional Administrator's action, and shall be mailed to:

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board (MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001
5. Within a reasonable time following the filing of the appeal, the Environmental Appeals Board shall issue an order granting or denying the petition for review.
6. The Environmental Appeals Board may defer consideration of an appeal until completion of formal proceedings seeking judicial review of the final agency action. A petition to the Environmental Appeals Board is, under 5 U.S.C. 704, a prerequisite to seeking judicial review.

Anyone with questions on filing documents with the Board should contact the Clerk of the Board. The Clerk can be reached by E-mail at durr.eurika@epa.gov or by calling (202) 233-0122. For additional information, please refer to the Board website address at <http://www.epa.gov/eab/>.