



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

ENVIRONMENTAL APPEALS BOARD

May 2, 2013

Norma Petrie  
5169 St. Johns Road  
East Jordan, MI 49727

Re: Chevron Michigan, LLC of Traverse City, MI  
Permit Number: MI-009-2D-0217  
Appeal Number: UIC 12-01

Dear Ms. Petrie,

The Board has received your letter of Wednesday, April 24, 2013. In it, you have asked several questions about the Board's Remand Order that was issued on March 5, 2013, in the case of *In re Chevron Michigan, LLC of Traverse City, Michigan*, UIC Appeal Number 12-01. Most of your questions appear to be related to the next steps you should take in light of the Board's Order. The Board's Order speaks for itself, and the Board cannot provide legal advice to the public or instruct or advise you on what arguments you can or should make in connection with a Board or Agency proceeding.

I can, however, direct you to a summary of the Board's holdings found at pages 1- 2 of the Remand Order, which may help you resolve some of your questions. As described in the syllabus, the Board concluded that "your petition was timely filed." (See also pages 8-9 of the Remand Order). The Board also considered the drinking water issues you raised in your petition and concluded that "the statements in [your petition] "lacked the specificity necessary to warrant review." (See page 16 of the Remand Order). In other words, the Board ruled against your arguments on the general drinking water issues because they were not specific enough for the Board to review.

As noted in your letter, the Board has remanded the permit to the Region. The Remand Order gives the Region "two options" for addressing the procedural issues identified by the Board. (See pages 16-17 of the Remand Order). Because this case is no longer before the Board, any

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questions that you have concerning the present status of Permit Number MI-009-2D-0217 or concerning questions you may raise before the Region during any remand proceedings should be raised with Region 5. Please note, however, that the Order specifies that “anyone dissatisfied with the Region’s actions on remand” must file a petition seeking review of those actions in order to exhaust administrative remedies, and that such petitions “shall be limited to those issues addressed by the Region on remand or raised by or in connection with the remand procedures.” (See pages 17-18 of the Remand Order). Importantly, “No new issues may be raised that could have been raised in [your] prior appeal.”

Sincerely,



Eurika Durr  
Clerk of the Board

cc:

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