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U.S. Environmental Protection Agency

Region 8, Denver, CO

ENVIR. APPEALS BOARD

Office of Regional Counsel-8RC

999 18th Street, Suite 300

Denver, CO 80202

DATE: 9/3/05

TO: CLERK OF THE BOARD

FAX No. 202-233-0121

FROM: KIMI MATSUMOTO

PHONE: 303-312-6729

FAX No. 303-312-6859

Total No. of Pages (including cover sheet):

REMARKS:

This fax will be followed by a mailed original.
Please feel free to contact me with
any questions.

Thank you,
Kimi X. Matsumoto

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REGION 8

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DENVER, CO 80202-2466

Phone 800-227-6917

<http://www.epa.gov/region08>

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ENVR. APPEALS BOARD

Ref: 8RC

AUG - 3 2005

Ms. Eurika 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.

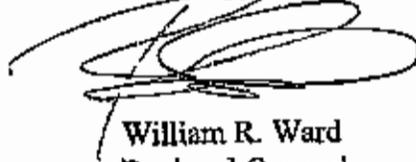
We do not intend to submit a response seeking summary disposition of the petition. Instead, we plan to submit a response not seeking summary disposition, but responding to the merits of the petition. Your letter requests such response by August 25, 2005. We respectfully request a three month extension 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,



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

cc: Sean Phelan and Joro Walker, Western Resource Advocates