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ENVIR. APPEALS BOARD

**BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
ENVIRONMENTAL APPEALS BOARD**

In re: )  
Environmental Disposal ) UIC Appeal No. 07-03  
Systems, Inc. )  
)  
Underground Injection Control )  
Permits MI-163-1W-C007 and )  
MI-163-1W-C008 )  
\_\_\_\_\_ )

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 5  
RESPONSE TO PETITIONERS' REPLY BRIEF**

At the request of the Board, on January 16, 2008, the United States Environmental Protection Agency, Region 5 (U.S. EPA) filed a response to the Petition for Review of the U.S. EPA's decision to terminate two Underground Injection Control (UIC) permits issued to Environmental Disposal Systems, Inc. (EDS). The Petitioners filed a Motion for Leave to File Reply and on March 18, 2008, the Board issued an Order accepting Petitioners' proposed Reply for filing. The Board's Order also offered U.S. EPA the opportunity to file a response, if necessary, by April 2, 2008.

After reviewing the Petitioners' Reply, U.S. EPA does not believe any new issues have been raised that warrant a response. The U.S. EPA stands by its existing filings, which explain why the Petition for Review did not raise any issues of fact, law or policy meriting review by the Board.

Respectfully submitted,



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Thomas J. Krueger  
Associate Regional Counsel  
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77 W. Jackson Blvd.  
Chicago, Illinois 60604-3590

Dated: April 1, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that I delivered a copy of the foregoing United States Environmental Protection Agency, Region 5 Response to Petitioners' Reply Brief to the persons designated below, on the date below, by postage prepaid first class mail addressed to:

Joseph E. Turner  
Ronald A. King  
Kristin B. Bellar  
Clark Hill PLC  
212 East Grand River Avenue  
Lansing, Michigan 48906

I have also filed the foregoing United States Environmental Protection Agency, Region 5 Response to Petitioners' Reply Brief and this Certificate of Service with the Clerk of the Environmental Appeals Board, on the date below, electronically, and by mail in an envelope addressed to:

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

Dated this 1<sup>st</sup> day of April, 2008.



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Thomas J. Krueger  
Associate Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5