



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

**STATEMENT OF BASIS FOR ISSUANCE OF UNDERGROUND INJECTION  
CONTROL (UIC) MAJOR CLASS II PERMIT MODIFICATION**

**Permit Number: MI-035-2D-0032**

**Facility Name: Adler D2-33**

SJX, LLC, of Traverse City, Michigan, has agreed to a major modification to the United States Environmental Protection Agency (EPA) permit for the proposed Adler D2-33 Class II injection well in Clare County, Michigan.

In accordance with the conditions set forth in 40 CFR 144.39(b)(1) and 124.5(a), the following permit conditions are proposed for modification:

PAGE/PERMIT CONDITION	MODIFICATION
Page 1 of 15	Division Director's signature and date that identifies when the permit was modified.
Page 15 of 15/ Special Conditions	Add Special Condition D, "Well Site Restrictions".
Page D-1 of 1/ Well Site Restrictions	Add new restriction for well site preparation.

EPA issued a permit for this well on July 15, 2014. Since this well has not been drilled, SJX, LLC's permit was set to expire on July 15, 2015. SJX, LLC timely submitted a request to extend the permit for one year. Since the time of permit issuance, the northern long eared bat has been listed as threatened by the United States Fish and Wildlife Service (USFWS). As a result of informal consultation with the USFWS, a restriction of tree clearing activity has been added as a requirement to this permit to protect the northern long eared bat. If EPA approves the permit modification, all tree clearing must be conducted between October 1 and March 31.

In accordance with 40 CFR 124.5(c)(2), only the condition proposed to be modified above shall be reopened for public comment. All other existing conditions of the permit shall remain in full force and effect for the duration of the unmodified permit.

Review of all permit application information and current applicable regulations indicate that no significant environmental impact should result from the proposed permit modification. In accordance with the provisions of the Safe Drinking Water Act, as amended (42 U.S.C. 300f et seq., commonly known as the SDWA) and implementing regulations promulgated by the EPA at

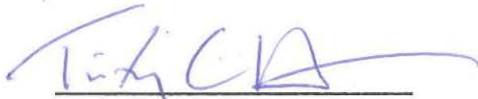
Parts 124, 144, 146, and 147 of the Code of Federal Regulations, the USEPA intends to issue a permit modification for the above-mentioned well.

Issuance and Effective Date of Major Modification: In accordance with 40 CFR 124.15, the major modification will become effective immediately upon issuance if EPA receives no public comments that request a change in the draft major modification. However, in the event that public comments are received that request a change in the draft major modification, then the major modification will become effective 45 days after the date of issuance unless the major modification is appealed. In accordance with 40 CFR 144.36(a), the major modification will be in effect for the life of the facility, unless it is otherwise modified, revoked and reissued, or terminated as provided at 40 CFR 144.39, 144.40 and 144.41. The permit will be reviewed by EPA at least once every five (5) years from its effective date for consistency with new or revised Federal regulations.

Questions and requests for additional information may be submitted verbally to Allan Batka at (312) 353-7316. Comments and a request for a public hearing must be made in writing to Allan Batka at the address below, or, batka.allan@epa.gov via the internet. The public comment period will close as described in the Public Notice. The public comment period for this major modification includes the required 30-days for the public comment period and an additional three days for the delay caused by mailing. If the EPA receives written comments indicative of public interest that warrants a hearing on this action, a public notice of a scheduled hearing will be published locally and mailed to interested parties.

To preserve your right to appeal any final permit decision that may be made in this matter under 40 CFR Part 124, you must either participate in the public hearing or send in written comments on the draft permit decision. A hearing is not planned at this time. The first appeal must be made to the Environmental Appeals Board; only after all agency review procedures have been exhausted may you file an action in the appropriate Circuit Court of Appeals for review.

**U.S. Environmental Protection Agency**  
**Region 5 (WU-16J)**  
**77 West Jackson Boulevard**  
**Chicago, Illinois 60604-3590**



**Tinka G. Hyde**  
**Director, Water Division**

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