



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

AUG 21 2006

OFFICE OF
WATER

Mr. Reed Rubenstein
Greenberg Traurig, LLP
800 Connecticut Ave, NW, Suite 500
Washington, D.C. 20006

**RE: Information Quality Guidelines Request regarding EPA's
Underground Injection Rule, 70 Fed. Reg. 70513 (November 22, 2005)
(RFC #06005)**

Dear Mr. Rubenstein:

Thank you for your letter dated March 6, 2006, filed under the Environmental Protection Agency's (EPA's) Information Quality Guidelines. In the letter, on behalf of the City of Sunrise, Florida and the East Central Regional Wastewater Treatment Facilities Operation Board, you requested that EPA make corrections to certain information disseminated in connection with the underground injection control program rule (UIC Rule) EPA promulgated on November 22, 2005 (70 FR 70513) and also requested disclosure of certain information related to EPA's promulgation of the UIC Rule. This letter responds to your requests.

As you know, the UIC Rule that is the subject of your IQG request has been challenged in the United States Court of Appeals for the Eleventh Circuit. The City of Sunrise and the East Central Regional Wastewater Treatment Facilities Operation Board are among the petitioners challenging the rule. The major issues that the petitioners have raised in the litigation appear to relate directly to the information quality concerns that you have raised in your IQG request. Currently, the parties are engaged in Court-ordered mediation. Therefore, because the issues raised in your correction request form the basis of the pending litigation and settlement discussions, it is inappropriate for EPA to respond to your IQG request.

However, if at the conclusion of the litigation, your data quality concerns have not been addressed, you may submit a Request for Correction (RFC). If you choose to submit a RFC, please send your written request to the EPA Information Quality Guidelines Processing Staff via mail (Information Quality Guidelines Processing Staff, Mail Code 2811R, U.S. EPA, 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460); electronic mail (quality@epa.gov); or fax (202-565-2441). Additional information about how to submit a RFC is listed on the EPA Information Quality Guidelines Web Site (www.epa.gov/quality/informationguidelines).

Also, for your information, the underlying data and methods EPA used to develop the UIC rule can be found in the "Florida UIC Docket." You can access this docket by contacting Nancy Marsh of the Ground Water & Underground Injection Control Section, EPA Region 4, via telephone (404-562-9450) or email (marsh.nancy@epa.gov).

Thank you for your interest in EPA's information quality.

Sincerely,

A handwritten signature in black ink, appearing to read "B. H. Grumbles", with a long horizontal flourish extending to the right.

Benjamin H. Grumbles
Assistant Administrator