

**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)	
)	
Diamond 3S, LLC)	
)	CWA Appeal No. 21-(01)
Docket No. CWA-06-2018-1831)	
)	
)	

ORDER DECLINING TO EXERCISE SUA SPONTE REVIEW

On March 12, 2021, the Presiding Officer issued and served on the parties an Initial Decision and Default Order in the above-captioned case. Neither party appealed, and the Environmental Appeals Board is declining to review the case on its own initiative. *See* 40 C.F.R. §§ 22.27(c)(4), 22.30(b). Accordingly, the Initial Decision and Default Order will become a final order on April 26, 2021, pursuant to 40 C.F.R. § 22.27(c).

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Dated: Apr 20, 2021

By: 
Aaron P. Avila
Environmental Appeals Judge

¹ The three-member panel deciding this matter consists of Environmental Appeals Judges Aaron P. Avila, Mary Kay Lynch, and Kathie A. Stein.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing **Order Declining to Exercise Sua Sponte Review** in the matter of *Diamond 3S*, CWA Appeal No. 21-(01), were sent to the following persons by **electronic mail**:

Ryan Summers
Diamond 3S, LLC
20102 West Coyote Trail
Sandy Springs, OK 74063
r-summers@sbcglobal.net
diamond-3s@yahoo.com

Earle A. "Rusty" Herbert
Enforcement Counsel (ORCEW)
U.S. EPA Region 6
10625 Fallstone Road.
Houston, TX 77099
Herbert.Rusty@epa.gov

Regional Judicial Officer Thomas Rucki
U.S. EPA Region 6 (ORC)
1201 Elm Street, Suite 500
Dallas, TX 75270
Rucki.Thomas@epa.gov

Lorena Vaughn
Region 6 Hearing Clerk
1201 Elm Street, Suite 500
Dallas, TX 75270
Vaughn.lorena@epa.gov

Dated: Apr 20, 2021



Eurika Durr
Clerk of the Board