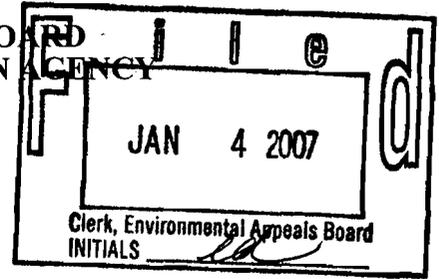


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:

Gaskey Construction Corp.

Docket No. CWA-06-2004-2335

CWA Appeal No. 06-07

ORDER DENYING REQUEST TO SUPPLEMENT APPEAL

On December 14, 2006, the Environmental Appeals Board (the "Board") issued a Final Order in the above-captioned matter upholding a \$10,155 penalty assessment against Gaskey Construction Corporation ("Gaskey"). By submission received on December 29, 2006, Gaskey seeks to supplement its previously-filed appeal.¹ However, because the Board has already issued a final decision in this matter, Gaskey's submission is untimely. Gaskey's request to file this submission is therefore denied.

So ordered.

Dated: *January 4, 2007*

ENVIRONMENTAL APPEALS BOARD

By: _____

Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

¹ The submission is titled "(A) SUPPLEMENTAL RESPONSE OF RESPONDENT TO AMENDED INITIAL DECISION AFTER REMAND AND (B) SUPPLEMENTAL ANSWER OF RESPONDENT TO COMPLAINT; AND, (C) REPLY OF RESPONDENT TO COMPLAINANT'S BRIEF IN RESPONSE TO RESPONDENT'S APPELLATE BRIEF; AND, (D) INCLUSION OF RESPONSIBLE THIRD PARTIES ("RTP")."

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Denying Request to Supplement Appeal in the matter of Gaskey Construction Corp., CWA Appeal No. 06-07, were sent to the following persons in the manner indicated:

Certified Mail:

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Dated: JAN - 4 2007



Annette Duncan
Secretary