

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

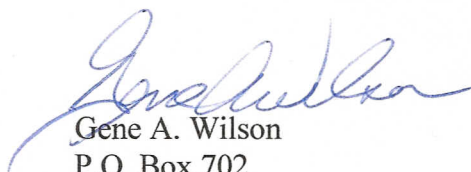
In re:)
)
Gene A. Wilson) SDWA 04-2005-1016
)
Respondent) E.A.B. Docket No. _____

NOTICE OF APPEAL

Respondent, Gene A. Wilson, respectfully files this Notice of Appeal seeking review with regard to Region 4's August 21, 2008, Initial Decision assessing a civil penalty of Eight Thousand Two Hundred Ninety-One Dollars (\$8,291.00) under Section 1423 (c) of the Safe Drinking Water Act; Order Denying Motion To Reopen Hearing dated November 24, 2008 and other decisions and orders by Region 4 Presiding Officer Susan B. Schub in the above captioned matter.

A Motion For Extension Of Time to filed the Appellate brief is being filed in this matter with reservation of right to file such brief within the thirty (30) day period (plus 15 days) or other such time as may be ordered by the E.A.B.

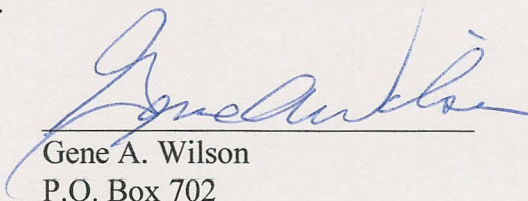
Respectfully Submitted


Gene A. Wilson
P.O. Box 702
Louisa, KY 41230

CERTIFICATE OF FILING AND SERVICE

The undersigned does hereby certify that the Original of this Notice of Appeal was mailed for filing, First Class U.S. Mail, Certified/Return Receipt Requested, to the U.S. Environmental Protection Agency, Clerk of the Board, Environmental Appeals Board (MC1103B), Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-0001; and that a copy was served by U.S. First Class Mail on (1) Ms. Patricia A. Bullock, Regional Hearing Clerk, U.S. EPA, Region 4, 61 Forsyth Street, S.W., Atlanta, GA 30303-8960; (2) USEPA Presiding Officer Susan B. Schub, Regional Judicial Officer, U.S. EPA, Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W., Atlanta, GA 30303-8960; (3) Counsel Ms. Zylpha Pryor, Associate Regional Counsel, U.S. EPA, Region 4, 61 Forsyth Street, S.W., Atlanta, GA 30303-8960; (4) Counsel Mr. Paul Schwartz, Associate Regional Counsel, U.S. EPA, Region 4, 61 Forsyth Street, S.W., Atlanta, GA 30303-8960; and (5) Mr. Nicholas N. Owens, National Ombudsman, U.S. Small Business Administration, 409 3rd Street, SW, MC 2120, Washington, DC 20416-0005, on this 5th, day of December, 2008.

Dated: December 5, 2008

A handwritten signature in blue ink, appearing to read "Gene A. Wilson", is written over a horizontal line.

Gene A. Wilson

P.O. Box 702

Louisa, KY 41230

(606) 638-9601

(606-638-1041 fax

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In re:)
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Gene A. Wilson) SDWA 04-2005-1016
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Respondent) E.A.B. Docket No. _____

MOTION FOR EXTENSION OF TIME TO FILE APPEAL BRIEF

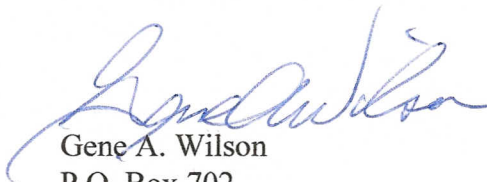
Respondent, Gene A. Wilson, respectfully moves and requests that the Environmental Appeals Board ("EAB") grant additional time to file his Appellate Brief on or before January 15, 2009, in regard to Region 4's August 21, 2008, Initial Decision and Order Denying Motion To Reopen Hearing dated November 24, 2008, in the above captioned matter.

Respondent seeks this additional time since the appeal time of thirty (30) days encompasses the holidays of Christmas and New Years Eve and the extremely large record that covers a period of some eighteen (18) years for review and restudying the lengthy initial decision for a proper appellate brief.

Before filing this Motion Respondent states he call opposing counsel Paul Schwartz Esq. Attorney for E.P.A., Region 4 asking if he objected to this motion for additional time to file a brief, Mr. Schwartz advised he would consult with his co-counsel Zylpha Pryor Esq. and return Respondent's call. Shortly thereafter Mr. Schwartz returned

Respondent's call stating they do not oppose or object to the Motion For Additional Time
To File Appeal Brief.

Respectfully Submitted

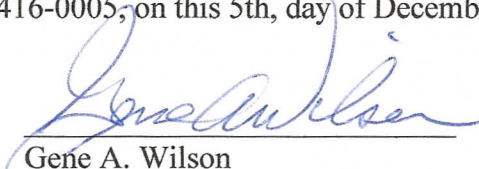


Gene A. Wilson
P.O. Box 702
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Dated: December 5, 2008



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