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August 26, 2011

Honorable Susan L. Biro
Chief Administrative Law Judge
U. S. Environmental Protection Agency
1900L
Washington D.C. 20460



Dear Judge Biro:

Docket No. TSCA-05-2011-0004

This is to acknowledge receipt of your Order To Show Cause in the case against Rose Real Estate Properties, Inc.

I thought that I had complied with your wishes, when I requested a hearing in Valdosta, which I understood was my right. I certainly didn't have any intention of ignoring the Court's order. It was, and still, my understanding that I have a right to a hearing in a location that is closest to my home. That, of course, would be Valdosta.

I have provided to your Chicago office all of the information that they requested, including copies of my income tax Returns for the years they requested, and I was told by Christian Anderson, in your Chicago office, that an analysis of them, indicated that I would not owe the penalty. Then I was told by Attorney Matson that they had lost the leases which I provided for them and therefore the case would not be pursued. Then they asked me to send them the information that they had returned to me, and I did. Perhaps, the lost copy was among those documents, and then they decided to proceed again with an amended complaint. However, they are demanded that I pay a penalty of more than \$4,000.00.

Once I was told by Attorney Matson that they had lost the leases in question that they could not proceed, I discarded the documents, including the letters that I

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received from them. However, because I had copies of my letters to them on computer, I am enclosing them to the court.

Although I don't understand all of the legal terms, I want to state again that the one lease for which a penalty is now being proposed, I did not have the disclaimer in it, and I have admitted such from the beginning. I didn't know I had to have it. Although ignorance of the law is no justification for breaking it, I would ask the Court to consider an explanation, and have mercy.

If Your Honor decides that the case should go forward and the penalty should stand, I understand that I have a right to a hearing in the district that is closest to my home; which is Valdosta. If that is in fact the case, I would appreciate your that assignment. Your Honor, given all that has happened, with all the problems we're having in the economy, and the expense to which the EPA has gone to prosecute this case, It seems that I, at least, have the right to face my accusers, and understand why the government would spend thousands of dollars because of such a minor infraction; the omission of a disclaimer in one lease, when no lead paid was found, and no lead based paint was used in the house.

As for witnesses, I have none. As for documents, I have none. I simply didn't know about the disclaimer. And to be penalized in excess of \$4,000.00 seems so wrong, and all I am asking for is an opportunity to be heard in a public forum, if indeed, that is my right.

Thank you, Your Honor, for your consideration.

Sincerely yours,

Rev. Floyd Rose

cc: John Matson
La Dawn Whitehead

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