



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105

JAN 14 2009

Honorable Susan L. Biro
Chief Administrative Law Judge
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Code 1900L
Washington, DC 20460

RE: Progressive Real Estate, Inc.
DOCKET NUMBER: TSCA-09-2009-0001
Complaint Filed: 11/03/2008
Proposed Penalty: Not to exceed \$11,000 per day per violation

Dear Judge Biro:

Pursuant to Section 22.21(a) of the Consolidated Rules of Practice (40 C.F.R. Part 22), the above captioned matter is hereby referred to you for assignment of an Administrative Law Judge. In accordance therewith a copy of EPA's Complaint and a copy of Respondent's Answer are enclosed.

Respondent is represented by:

David R. Postal, Attorney P.C.
6520 N. 7th Street, Ste. 100
Phoenix, Arizona 85104

Complainant is represented by:

Carol Bussey, Esq.
Assistant Regional Counsel
US EPA, Region 9
Office of Regional Counsel
75 Hawthorne Street, ORC-2
San Francisco, CA 94105

Very truly yours,

A handwritten signature in cursive script that reads "Danielle E. Carr".

Danielle E. Carr
Regional Hearing Clerk

cc: C. Bussey
D. Postal