

**U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KANSAS**

2018 AUG -3 PM 1:26

BEFORE THE ADMINISTRATOR

In the matter of)	
)	
SUPERIOR RESTORATION & CONSTRUCTION LLC,)	
)	Docket. No. TSCA-07-2016-0017
Respondent.)	
_____)	

**PROOF OF RESPONDENT’S RECEIPT OF COMPLAINANT’S RESPONSES
TO FIRST AND SECOND ORDERS TO SUPPLEMENT THE RECORD**

Pursuant to Rule 22.5(a)(1) of the Consolidated Rules of Practice, Complainant hereby files the attached documentation as proof of Respondent’s receipt of Complainant’s responses to the Presiding Officer’s Order to Show Cause and Supplement the Record (“First Order”) and Second Order to Supplement the Record (“Second Order”), filed by Complainant in this matter and served on Respondent on May 23 and July 19, 2018, respectively.¹

Attachment 1 consolidates copies of three letters transmitting Complainant’s response to the First Order to Respondent. Two of these letters were sent via certified mail, return receipt requested, to Respondent’s place of business in Overland Park,² Kansas; the third was mailed by the same method to Respondent’s registered agent in Lenexa, Kansas.³ Attachment 2 provides

¹ 40 C.F.R. § 22.7(c) (“Service of all [documents other than the complaint] is complete upon mailing or when placed in the custody of a reliable commercial delivery service.”).

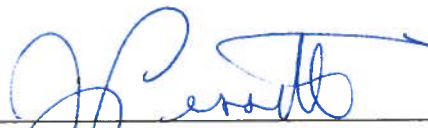
² U.S. Postal Service Certified Mail Article Nos. 7014 1200 0000 6128 2497 (transmitting copies of filings to Respondent’s business address on May 23, 2018) and 7014 1200 000 6122 4114 (re-transmitting copies to Respondent’s business address on June 19, 2018, after unsuccessful initial delivery attempt).

³ U.S. Postal Service Certified Mail Article No. 7014 1200 0000 6122 4046 (transmitting copies of filings to Respondent’s registered agent on May 23, 2018).

copies of completed return receipts for the certified letters mailed to Respondent's business address. The third letter, mailed to the address of record for Respondent's registered agent, was returned to Complainant as undeliverable, documentation of which is included in Attachment 3.

Attachment 4 likewise consolidates copies of two letters transmitting Complainant's response to the Second Order to Respondent. As with the first response, Complainant transmitted one letter via certified mail, return receipt requested, to Respondent's business address,⁴ and the second letter was mailed by the same method to Respondent's registered agent.⁵ Delivery of the letter mailed to Respondent's business address was achieved on July 23, 2018, as evidenced by the completed return receipt and tracking history provided as Attachment 5. The letter mailed to Respondent's address of record was forwarded to and received by Respondent's registered agent, Cory W. Poulsen, on August 1, 2018, at 14915 Evening Star Road in Eudora, Kansas. as evidenced by documentation provided as Attachment 6.

RESPECTFULLY SUBMITTED,
this 3rd day of August, 2018,



Jared Pessetto
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219
Office: (913) 551-7793
pessetto.jared@epa.gov

⁴ U.S. Postal Service Certified Mail Article No. 7014 1200 0000 6127 2276 (transmitting copy of filing to Respondent's business address on July 19, 2018).

⁵ U.S. Postal Service Certified Mail Article No. 7014 1200 0000 6127 2283 (transmitting copy of filing to Respondent's registered agent on July 19, 2018).

Attachment 1



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

MAY 23 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Article No.: 7014 1200 0000 6128 2497

Cory W. Poulsen
Superior Restoration & Construction LLC
7861 Mastin Drive
Overland Park, Kansas 66204

Re: In the matter of Superior Restoration & Construction LLC
Docket No. TSCA-07-2016-0017

Dear Mr. Poulsen:

Enclosed please find copies of the U.S. Environmental Protection Agency's recent filings in the matter of Superior Restoration & Construction LLC, Docket No. TSCA-07-2016-0017. The first enclosed document is the agency's response to the Regional Judicial Officer's Order to Show Cause and Supplement the Record, issued on May 1, 2018. The RJO's Order allows you to file a reply within 20 days of your receipt of the agency's response. The second enclosed document provides documentary proof of your receipt of the Motion for Default Order and Memorandum of Points and Authorities in Support of Complainant's Motion for Default Order, filed on March 28, 2018.

A duplicate transmittal containing the same enclosures was also sent to you, as the registered agent of Superior Restoration & Construction LLC, at the company's address of record. If you have any questions concerning this matter, you may contact me at (913) 551-7793.

Sincerely,

A handwritten signature in black ink that reads "Jared Pessetto".

Jared Pessetto
Assistant Regional Counsel

Enclosures

Attachment 1



Printed on Recycled Paper



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

JUN 19 2018

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Article No.: 7014 1200 0000 6122 4114

Cory W. Poulsen
Superior Restoration & Construction LLC
7861 Mastin Drive
Overland Park, Kansas 66204

Re: In the matter of Superior Restoration & Construction LLC
Docket No. TSCA-07-2016-0017

Dear Mr. Poulsen:

The U.S. Environmental Protection Agency is providing a second transmittal of the enclosed filings, which the agency originally transmitted to you on May 23, 2018, by certified mail, return receipt requested, at this business address as well as the address of record for Superior Restoration & Construction LLC. Both letters were not received at the time of attempted delivery. The EPA is providing this courtesy mailing to ensure your receipt of these documents.

If you have any questions concerning this matter, you may contact me at (913) 551-7793.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Passetto".

Jared Passetto
Assistant Regional Counsel

Enclosures

Attachment 1



Printed on Recycled Paper



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

MAY 23 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Article No.: 7014 1200 0000 6122 4046

Cory W. Poulsen
Superior Restoration & Construction LLC
23625 West 92nd Terrace
Lenexa, Kansas 66227

Re: In the Matter of Superior Restoration & Construction LLC
Docket No. TSCA-07-2016-0017

Dear Mr. Poulsen:

Enclosed please find copies of the U.S. Environmental Protection Agency's recent filings in the matter of Superior Restoration & Construction LLC, Docket No. TSCA-07-2016-0017. The first enclosed document is the agency's response to the Regional Judicial Officer's Order to Show Cause and Supplement the Record, issued on May 1, 2018. The RJO's Order allows you to file a reply within 20 days of your receipt of the agency's response. The second enclosed document provides documentary proof of your receipt of the Motion for Default Order and Memorandum of Points and Authorities in Support of Complainant's Motion for Default Order, filed on March 28, 2018.

A duplicate transmittal containing the same enclosures was also sent to Superior Restoration & Construction LLC's place of business in Overland Park, Kansas. If you have any questions concerning this matter, you may contact me at (913) 551-7793.

Sincerely,

Jared Pessetto
Assistant Regional Counsel

Enclosures

Attachment 1



Printed on Recycled Paper

Attachment 2

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name)	C. Date of Delivery 6-21-13
1. Article Addressed to: Cory W. Poulsen Superior Restoration & Construction LLC 7861 Mastin Dr. Overland Park, KS 66204	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	7014 1200 0000 6128 2497	
PS Form 3811, July 2013 Domestic Return Receipt		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name)	C. Date of Delivery 6-22-13
1. Article Addressed to: Cory W. Poulsen Superior Restoration & Construction LLC 7861 Mastin Dr Overland Park, KS 66204	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	Article No. 7014 1200 0000 6122 4114	
PS Form 3811, July 2013 Domestic Return Receipt		

UNITED STATES POSTAL SERVICE
KANSAS CITY
NO 640
21 JUN '18
PM 5 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

Jared Fessetto - CNSL
U.S. Environmental Protection Agency
Region 7 – Office of Regional Counsel
11201 Renner Blvd
Lenexa, KS 66219



UNITED STATES POSTAL SERVICE
NO 640
22 JUN '18
PM 5 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

J Pessetto - CNSL
US ENVIRONMENTAL PROTECTION AGENCY
Region 7
11201 Renner Boulevard
Lenexa, KS 66219



Attachment 3

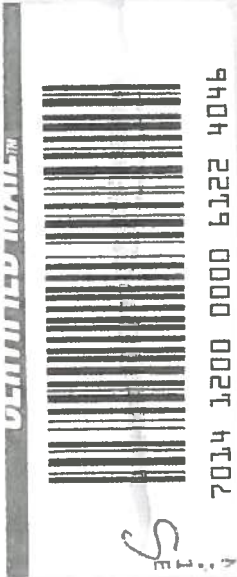
ATES
ENTAL PROTECTION AGENCY

Boulevard
219

NESS
Use \$300

nal Counsel

Attachment 3



5
11

per FO

6-18-18
6-19-18
6-20-18
6-21-18

Cory W. Poulsen

808 NFE 1 617C0005/31/18
NOTIFY SENDER OF NEW ADDRESS
SUPERIOR RESTORATION & CONSTRUCTION
4915 EVENING STAR RD
DODORA KS 66025-8359

07/03/18

660255362-1N

NIXIE

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
RETURN TO SENDER



05/24/2018
US POSTAGE



ZIP 66219
041117A3986

FIRST CLASS MAIL

\$08.46

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

X

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cory W. Poulsen
Superior Restoration & Construction LLC
23625 W, 92nd Terr.
Lenexa, KS 66227

3. Service Type Priority Mail Express™
 Certified Mail® Return Receipt for Merchandise
 Registered Collect on Delivery
 Insured Mail Yes No

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number **70J4 J200 0000 6J22 4046**
 (transfer from service label)
 PS Form 3811, July 2013

Domestic Return Receipt



[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)

Track Another Package +

Tracking Number: 70141200000061224046

Remove X

The item is currently in transit to the next facility as of June 29, 2018.

In-Transit

June 29, 2018
In Transit to Next Facility

Tracking History



June 29, 2018

In Transit to Next Facility

The item is currently in transit to the next facility as of June 29, 2018.

June 28, 2018

In Transit to Next Facility

June 27, 2018

In Transit to Next Facility

June 26, 2018, 5:52 pm

Arrived at USPS Regional Facility

COLORADO SPRINGS CO DISTRIBUTION CENTER

June 18, 2018, 1:32 pm

Unclaimed/Being Returned to Sender

EUDORA, KS 66025

Attachment 3

June 5, 2018

Redelivery Scheduled
LENEXA, KS 66227

June 4, 2018, 10:35 am

Notice Left (No Authorized Recipient Available)
EUDORA, KS 66025

June 4, 2018, 7:38 am

Arrived at Unit
DE SOTO, KS 66018

June 3, 2018, 7:50 pm

Departed USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

June 3, 2018

In Transit to Next Facility

June 2, 2018, 1:57 pm

Arrived at USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

June 2, 2018

In Transit to Next Facility

June 1, 2018

In Transit to Next Facility

May 31, 2018, 8:07 pm

Departed USPS Regional Facility
COLORADO SPRINGS CO DISTRIBUTION CENTER

May 31, 2018, 1:41 pm

Arrived at USPS Regional Facility
COLORADO SPRINGS CO DISTRIBUTION CENTER

Attachment 3

May 29, 2018, 7:28 am

Out for Delivery
LENEXA, KS 66227

May 29, 2018, 7:18 am

Sorting Complete
LENEXA, KS 66227

May 28, 2018

In Transit to Next Facility

May 27, 2018

In Transit to Next Facility

May 26, 2018, 1:51 am

Departed USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

May 25, 2018, 10:05 pm

Arrived at USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<http://faq.usps.com/?articleId=220900>)

Attachment 3

Attachment 4



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

JUL 19 2018

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No.: 7014 1200 0000 6127 2276

Cory W. Poulsen
Superior Restoration & Construction LLC
7861 Mastin Drive
Overland Park, Kansas 66204

Re: In the matter of Superior Restoration & Construction LLC
Docket No. TSCA-07-2016-0017

Dear Mr. Poulsen:

Enclosed please find a copy of the U.S. Environmental Protection Agency's recent filing in the matter of Superior Restoration & Construction LLC, Docket No. TSCA-07-2016-0017. This filing is the agency's response to the Regional Judicial Officer's Second Order to Supplement the Record, issued on June 26, 2018. A duplicate transmittal containing the same enclosure was sent to you, as the registered agent of Superior Restoration & Construction LLC, at the company's address of record in Lenexa, Kansas.

If you have any questions concerning this matter you may contact me at (913) 551-7793.

Sincerely,

A handwritten signature in black ink that reads "Jared Pessetto".

for Jared Pessetto
Assistant Regional Counsel

Enclosure

Attachment 4



Printed on Recycled Paper



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

JUL 19 2018

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No.: 7014 1200 0000 6127 2283

Cory W. Poulsen
Superior Restoration & Construction LLC
23625 W. 92nd Terrace
Lenexa, Kansas 66227


Re: In the Matter of Superior Restoration & Construction LLC
Docket No. TSCA-07-2016-0017

Dear Mr. Poulsen:

Enclosed please find a copy of the U.S. Environmental Protection Agency's recent filing in the matter of Superior Restoration & Construction LLC, Docket No. TSCA-07-2016-0017. This filing is the agency's response to the Regional Judicial Officer's Second Order to Supplement the Record, issued on June 26, 2018. A duplicate transmittal containing the same enclosure was sent to Superior Restoration & Construction LLC's place of business in Overland Park, Kansas.

If you have any questions concerning this matter you may contact me at (913) 551-7793.

Sincerely,


for Jared Pessetto
Assistant Regional Counsel

Enclosure



Attachment 5

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Cory W. Poulsen
Superior Restoration & Construction LLC
7861 Mastin Dr
Overland Park, KS 66204**

2. Article Number
(Transfer from service label)

Article No. 7014 1200 0000 6127 2276

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Alexis Davis* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
Alexis Davis

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

**J Pessetto - CNSL
US ENVIRONMENTAL PROTECTION AGENCY
Region 7
11201 Renner Boulevard
Lenexa, KS 66219**

950101





[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)

Track Another Package +

Tracking Number: 70141200000061272276

Remove X

Expected Delivery on

MONDAY

23 JULY 2018 i by **8:00pm** i

Delivered

July 23, 2018 at 1:47 pm
Delivered, Front Desk/Reception
OVERLAND PARK, KS 66204

Get Updates v

Text & Email Updates v

Tracking History ^

July 23, 2018, 1:47 pm

Delivered, Front Desk/Reception
OVERLAND PARK, KS 66204

Your item was delivered to the front desk or reception area at 1:47 pm on July 23, 2018 in OVERLAND PARK, KS 66204.

July 23, 2018, 7:15 am

Out for Delivery
OVERLAND PARK, KS 66204

Attachment 5

July 23, 2018, 7:05 am

Sorting Complete

OVERLAND PARK, KS 66204

July 21, 2018, 7:57 am

Arrived at Unit

MISSION, KS 66202

July 21, 2018, 5:05 am

Departed USPS Regional Facility

KANSAS CITY MO DISTRIBUTION CENTER

July 20, 2018, 9:09 pm

Arrived at USPS Regional Facility

KANSAS CITY MO DISTRIBUTION CENTER

Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<http://faq.usps.com/?articleId=220900>)

Attachment 5

Attachment 6

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Cory W. Poulsen
Superior Restoration & Construction LLC
23625 W 92nd Ter
Lenexa, KS 66227**

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X 

Agent

Addressee

B. Received by (Printed Name)

Cory Poulsen

C. Date of Delivery

8-1-18

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

14915 Evening Star Rd
Lenexa KS 66025

3. Service Type

Certified Mail®

Priority Mail Express™

Registered

Return Receipt for Merchandise

Insured Mail

Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from service label)

Article No. 7014 1200 0000 6127 2283

PS Form 3811, July 2013

Domestic Return Receipt

UNITED STATES POSTAL SERVICE
KANSAS CITY
NO 640
01 AUG 18
PMS L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

J Pessetto - CNSL
US ENVIRONMENTAL PROTECTION AGENCY
Region 7
11201 Renner Boulevard
Lenexa, KS 66219





FAQs > (<http://faq.usps.com/?articleId=220900>)

Track Another Package +

Tracking Number: 70141200000061272283

Remove X

Expected Delivery on

WEDNESDAY

1 AUGUST
2018 ⓘ

by
8:00pm ⓘ

Delivered

August 1, 2018 at 9:48 am
Delivered, Left with Individual
EUDORA, KS 66025

Get Updates ▾

Text & Email Updates ▾

Tracking History ▲

August 1, 2018, 9:48 am

Delivered, Left with Individual
EUDORA, KS 66025

Your item was delivered to an individual at the address at 9:48 am on August 1, 2018 in EUDORA, KS 66025.

August 1, 2018, 7:30 am

Arrived at Unit
DE SOTO, KS 66018

Attachment 6

July 31, 2018

In Transit to Next Facility

July 30, 2018, 3:59 pm

Departed USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

July 30, 2018, 8:15 am

Arrived at USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

July 29, 2018

In Transit to Next Facility

July 28, 2018

In Transit to Next Facility

July 27, 2018, 7:51 am

Departed USPS Regional Facility
COLORADO SPRINGS CO DISTRIBUTION CENTER

July 27, 2018, 6:54 am

Arrived at USPS Regional Facility
COLORADO SPRINGS CO DISTRIBUTION CENTER

July 24, 2018

In Transit to Next Facility

July 23, 2018

In Transit to Next Facility

July 22, 2018

In Transit to Next Facility

July 21, 2018, 1:33 am

Departed USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

Attachment 6

July 20, 2018, 9:09 pm

Arrived at USPS Regional Facility
KANSAS CITY MO DISTRIBUTION CENTER

Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<http://faq.usps.com/?articleId=220900>)

The easiest tracking number is the one you don't have to know.

With Informed Delivery[®], you never have to type in another tracking number. Sign up to:

- See images* of incoming mail.

Attachment 6

CERTIFICATE OF SERVICE

I hereby certify that the original and one true and correct copy of the foregoing Proof of Respondent's Receipt of Complainant's Responses to First and Second Orders to Supplement the Record was hand-delivered to the Regional Hearing Clerk of the U.S. Environmental Protection Agency, Region 7, at 11201 Renner Boulevard, Lenexa, Kansas, on August 3, 2018.

A true and correct copy of this filing was sent this day to the following persons in the manner indicated:

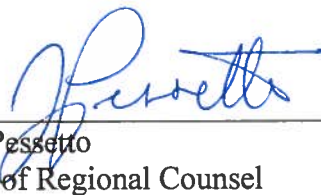
By Hand Delivery

Karina Borromeo
Regional Judicial Officer/Presiding Officer
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219

By First Class Mail

Mr. Cory Poulsen
Superior Restoration & Construction LLC
23625 West 92nd Terrace
Lenexa, Kansas 66227

Mr. Cory Poulsen
Superior Restoration & Construction LLC
7861 Mastin Drive
Overland Park, Kansas 66204



Jared Pessetto
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7