

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

2013 AUG 22 PM 3:38

FILED
EPA REGION VIII
HEARING CLERK

In Re:) SDWA Appeal No. 13-01
)
Maralex Disposal, LLC)
)
Dkt. No. SDWA-8-2011-0079)

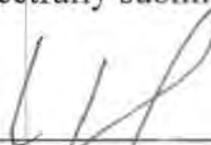
NOTICE OF APPEAL

Appellant, Maralex Disposal, LLC ("Maralex"), by and through counsel, William E. Zimsky, in accordance with 40 C.F.R. § 22.30(a), hereby submits this Notice of Appeal seeking review of the Initial Decision of Presiding Officer Elyana R. Sutin issued on July 8, 2013, assessing a civil penalty of \$85,000 for violations of Section 1423 of the Safe Drinking Water Act, 42 U.S.C. § 300h-2(c)(1) and 40 C.F.R. § 144.51(q)(1). This Notice of Appeal is being filed within 30 days of receiving the Initial Decision by Certified Mail, Return Receipt requests. See Exhibit 1, attached hereto (email from Regional Hearing Clerk stating that Return Receipt executed on July 16, 2013.)

An appeal brief is attached.

Dated: August 15, 2013

Respectfully submitted,



William E. Zimsky

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Attorney for Appellant

CERTIFICATE OF SERVICE

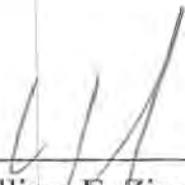
I hereby certify that a true copy of this **Notice of Appeal** was sent on August 15, 2013, via First Class Mail, Postage Prepaid (and via email) to the following persons:

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By:



William E. Zimsky