



SERENITY CHRISTIAN

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August 28, 2011

Margaret M. Guerriero
Director
Land and Chemicals Division
EPA Region #5
77 West Jackson Blvd.
Chicago, Illinois 60604-3590

RECEIVED

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REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Dear Mrs. Guerriero:

Docket No: TSCA-5-2011-0004

Please note that I just received the amended complaint today, August 28th. It is dated August 16, 2011, and was sent to the wrong address. After I notified Mrs. Christine Anderson that I had not received it, she informed me that it had been sent to a previous address: 411 Orange Street, Valdosta, Georgia 31601.

In the meantime I responded to Judge Susan Biro's Order to Show Cause. I am not sure where that stands in light of the amended complaint.

From the beginning I acknowledged that I did not provide a disclaimer as required by law because I never knew I had to. However, the 1420 Adding Road property, like all of the other properties that I own, was renovated, and painted upon their acquisition, and no lead paint was used. And to my knowledge, no allegation has been made to the contrary.

I was surprised that the EPA would allege in paragraph 32 of the complaint that I did not provide sufficient financial information when, in fact, my tax returns for that period were requested, and were sent to the EPA. Mrs. Christine Anderson told me that an analysis of my returns determined that I didn't have to pay a

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penalty. Attorney John Matson also called and told me that the leases in question (there were two at the time) had been misplaced, and the case had to be dropped. However, I was asked to send the information that I had sent before and was returned to me, at my request, and I sent it all back. Apparently copies of, at least, one of the leases was in the package, and the EPA decided to proceed with the prosecution of the case, and level a penalty of \$4,850.00

Yes, as indicated as my right in paragraph #2 of your letter, I would like to request a hearing, and would like for it to be conducted in Valdosta, as I understand that to be my right. As you know, it would be extremely expensive for me to come to Chicago or go to Washington or Toledo.

I have cooperated in every way I knew how, and don't understand why the EPA would spend thousands of dollars prosecuting this case, and I believe that I have a right to know, and why such a large penalty is being required. After all, no lead paint was ever used, and none alleged to have been used. My crime was my ignorance, something that I readily admitted.

Since there was a previous request for an informal settlement conference, and my proposal was denied, are you suggesting that with the amended complaint, I can again request a settlement conference? I just want to be sure. And I don't want the time to expire.

Sincerely yours,

Floyd Rose

cc: Lisa P. Jackson
EPA Administrator

John Matson
Associate Regional Counsel
Region #5

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Honorable Susan Biro
Administrative Law Judge

Regional Hearing Clerk
Frederick Brown

Sincerely yours,

Rev. Floyd Rose