

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
901 NORTH FIFTH STREET  
KANSAS CITY, KANSAS 66101

09 JUL 24 PM 3:05  
ENVIRONMENTAL PROTECTION  
AGENCY-REGION VII  
REGIONAL HEARING CLERK

IN THE MATTER OF: )

AMBRUST REALTY RENTALS )  
OMAHA, NEBRASKA )

Respondent )

) Docket No. TSCA-07-2008-0022

**ORDER TO SUPPLEMENT RECORD**

Background

Pursuant to Rule 22.17(a) of the Consolidated Rules of Practice, 40 C.F.R. §22.17(a), Complainant filed a motion for default order in this proceeding alleging Respondent's failure to answer a complaint alleging two counts of failure to comply with provisions of the Toxic Substances Control Act, in violation of Section 409, 15 U.S.C. § 2689. The motion requests an order requesting assessment of a civil administrative penalty in the amount of Twenty-Two Thousand Dollars (\$22,000) for the alleged violations. Although the filing includes a memorandum in support, it does not include a certificate of service showing that the Respondent was served, as required by Rule 22.5(a)(3). The motion also does not include a discussion of the legal and factual basis for the requested penalty, as required by Rule 22.17(b).

ORDER

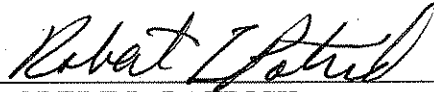
Based on the foregoing, it is therefore ORDERED, that Complainant shall, **no later than August 7, 2009**, supplement the record as follows:

1. Provide a certificate of service demonstrating that Respondent was served with a copy

of the motion.

2. Provide a detailed discussion of the legal and factual basis for the requested penalty, including an analysis in light of the statutory factors and the applicable penalty policy.

Dated: July 24, 2009

  
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ROBERT L. PATRICK  
Regional Judicial Officer  
Region 7

IN THE MATTER OF Ambrust Realty Rentals, Respondent  
Docket No. TSCA-07-2008-0022

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Order to Supplement Record was sent this day in the following manner to the addressees:

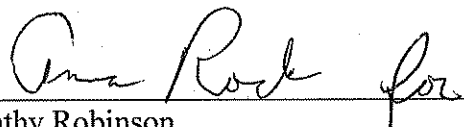
Copy hand delivered to  
Attorney for Complainant:

Demetra Salisbury  
Assistant Regional Counsel  
Region VII  
United States Environmental Protection Agency  
901 N. 5<sup>th</sup> Street  
Kansas City, Kansas 66101

Copy by Restricted Delivery, Return Receipt to:

Herbert J. Armbrust  
Armbrust Realty Rentals  
3163 Leavenworth Street  
Omaha, Nebraska 68105

7/24/09  
Date

  
Kathy Robinson  
Hearing Clerk, Region 7