

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH 5th STREET
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF) Docket No. FIFRA-07-2008-0036
)
Advanced Products Technology, Inc.) COMPLAINANT'S NOTICE OF FILING
Washington, Missouri) OF LETTER CONSTRUED AS ANSWER
)
Respondent)

COMPLAINANT'S NOTICE OF FILING OF LETTER CONSTRUED AS ANSWER

Pursuant to Rule 22.15 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, where a Respondent contests any material fact upon which the Complaint is based, it shall file an original and one copy of a written Answer to the Complaint with the Regional Hearing Clerk, and shall serve copies of the Answer on all other parties, within 30 days after service of the Complaint.

The Complaint in this matter was filed June 26, 2009, and service was effected on July 7, 2009. On July 27, 2009, Complainant's counsel received a letter dated July 24, 2009, along with several attachments, from Respondent's representative, Ann P. Kastendieck. In the letter, Ms. Kastendieck contends that the proposed penalty in the above-captioned matter is inappropriate. Complainant's counsel construes this letter to be Respondent's Answer and submits the documentS and one copy to the EPA Region 7 Regional Hearing Clerk for filing.

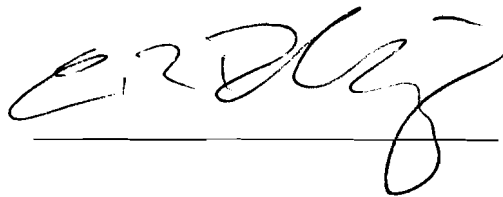
Certificate of Service

I hereby certify the original of this Complainant's Notice of Filing of Letter Construed as Answer was hand delivered to the Regional Hearing Clerk, United States Environmental Protection Agency, Region 7, and true and correct copies are being sent both by certified mail this 28th day of July, to:

Office of Administrative Law Judges
U.S. Environmental Protection Agency
1099 14th Street, N.W.
Suite 350
Washington, D.C. 20005

and

Ann P. Kastendieck
Registered Agent for FRM Chem, Inc.
P.O. Box 207
50 Highline Drive
Washington, MO 63090



A handwritten signature in black ink, appearing to read 'A. P. Kastendieck', is written over a horizontal line.