



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

In re Robert Lauter d/b/a Prime Cut Paint
Docket No. TSCA-03-2023-0034
TSCA Appeal No. 24-(01)

ORDER DECLINING TO EXERCISE SUA SPONTE REVIEW

On April 17, 2024, the Presiding Officer issued an Initial Decision and Order on Penalty. Neither party appealed, and the Environmental Appeals Board is declining to review the case on its own initiative. See 40 C.F.R. §§ 22.27(c)(4), 22.30(b). Accordingly, the Initial Decision and Order on Penalty will become a final order on June 3, 2024, pursuant to 40 C.F.R. §§ 22.7(a), 22.27(c).1

So ordered.2

ENVIRONMENTAL APPEALS BOARD

Dated: May 28, 2024

By: Mary Kay Lynch
Environmental Appeals Judge

1 Forty-five days after April 17, 2024, is June 1, 2024, which is a Saturday. Consistent with 40 C.F.R. § 22.7(a), the Initial Decision and Order on Penalty will become a final order on Monday, June 3, 2024.

2 The three-member panel deciding this matter consists of Environmental Appeals Judges Wendy L. Blake, Mary Kay Lynch, and Ammie Roseman-Orr.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Declining to Exercise Sua Sponte Review* in the matter of Robert Lauter d/b/a Prime Cut Paint, Docket No. TSCA-03-2023-0034, were sent to the following persons in the manner indicated:

**By First Class Certified Mail/ Return
Receipt Requested and Email:**

Robert Lauter
Prime Cut Paint
1414 Baychester Ave.
Norfolk, VA 23503
primecutpaint@gmail.com

By Email:

Patrick J. Foley
Conner Kingsley
Assistant Regional Counsel
Region 3
U.S. Environmental Protection Agency
foley.patrick.j@epa.gov
kingsley.conner@epa.gov

Susan L. Biro, Administrative Law Judge
Attn: Mary Angeles, Headquarters
Hearing Clerk
Office of Administrative Law Judges
U.S. Environmental Protection Agency
angeles.mary@epa.gov

Dated: May 28, 2024

Emilio Cortes

Emilio Cortes
Clerk of the Board