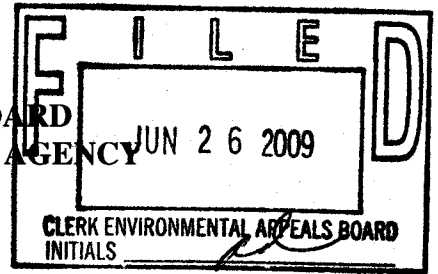


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
)

John P. Vidiksis,)

TSCA Appeal No. 07-02

Docket No. TSCA 03-2005-0266)
_____)

ORDER DENYING STAY

Before the Board at this time is John P. Vidiksis' motion for an administrative stay of the Board's Final Decision and Order in the above-captioned matter. Mr. Vidiksis requests the stay pending the outcome of Mr. Vidiksis' petition for review of the Board's Final Decision and Order that Mr. Vidiksis filed pursuant to Toxic Substances and Control Act (TSCA) section 16(a)(3), 15 U.S.C. § 2615(a)(3), with the U.S. Court of Appeals for the 11th Circuit.

Upon consideration, Mr. Vidiksis' motion is hereby denied. The Board's Final Decision and Order is not enforceable until such time as the 11th Circuit Court of Appeals enters "a final judgment in favor of the Administrator." TSCA section 16(a)(4), 15 U.S.C. § 2615(a)(4).

So ordered

Dated:

June 26, 2009

ENVIRONMENTAL APPEALS BOARD

By: 

Anna L. Wolgast

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Denying Stay in the matter of John P. Vidiksis, TSCA Appeal No. 07-02, were sent to the following persons in the manner indicated:

By Federal Express:

Keith A. Onsdorff
225 Windsor Avenue
Haddonfield, New Jersey, 08033

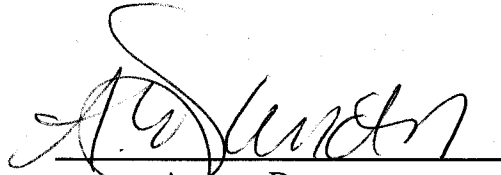
By U.S. First Class Mail and
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8001 Folsom Blvd, Suite 100
Sacramento, CA 95826
Fax: 916-307-5164

By Pouch Mail and
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Donzetta W. Thomas (3RC30)
U.S. EPA, Region 3
1650 Arch Street
Philadelphia, PA 19103
Fax: 215-814-2603

Dated: JUN 26 2009



Annette Duncan
Secretary