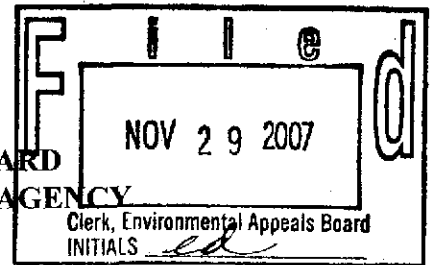


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_  
In re: )  
 )  
John P. Vidiksis ) TSCA Appeal No. 07-02  
 )  
 )  
Docket No. TSCA-03-2005-0266 )  
\_\_\_\_\_ )

**ORDER GRANTING EXTENSION OF TIME**

On November 13, 2007, John P. Vidiksis filed a notice of appeal from the October 10, 2007 Initial Decision issued by Administrative Law Judge William Moran (hereinafter the "ALJ"). The ALJ's Initial Decision arises out of a complaint filed by U.S. EPA Region 3 (hereinafter the "Region") against Mr. Vidiksis alleging violations of the Toxic Substance Control Act. Along with his notice of appeal, Mr. Vidiksis filed a motion requesting an extension of time to file his appeal brief.<sup>1</sup> Among other things, Mr. Vidiksis explained that he has retained new counsel to represent him in this appeal. On November 21, 2007, the Region

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<sup>1</sup> Mr. Vidiksis' motion also requested remand of this case to the ALJ for "proper certification of the record" on the grounds that the ALJ allegedly had failed to rule on certain post-hearing motions. On November 27, 2007, Mr. Vidiksis filed a partial withdrawal of his request for remand, having realized that the ALJ's Initial Decision did, in fact, rule on the post-hearing motion Mr. Vidiksis had filed. Mr. Vidiksis notes, however, that the ALJ failed to rule on a post-hearing motion filed by the Region requesting correction of certain errors in the evidentiary hearing transcript. Neither Mr. Vidiksis nor the Region have suggested that any alleged errors in the hearing transcript are material to this appeal.

filed a response to Mr. Vidiksis' motion, stating that the Region does not oppose an extension of time.

Upon consideration, we hereby grant Mr. Vidiksis an extension of time to file his appellate brief on or before Friday, January 4, 2008. Pursuant to 40 C.F.R. § 22.30(2), the Region may file a response to Mr. Vidiksis' appeal brief within the time allowed by that rule.

So ordered.

Dated: *Nov. 28, 2007*

ENVIRONMENTAL APPEALS BOARD

By: *Kathie A. Stein*  
Kathie A. Stein  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

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

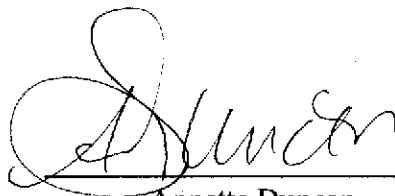
By Federal Express:

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

By Pouch Mail and  
telecopier:

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

Dated: NOV 29 2007



\_\_\_\_\_  
Annette Duncan  
Secretary