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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
APPEALS BOARD

REGION VII
OFFICE OF REGIONAL COUNSEL
901 N. FIFTH STREET
KANSAS CITY, KANSAS 66101

TO: EAB Clerk (202) 233-0121

DATE: April 29, 2005

RE: FRM Chem, Inc., Docket No. FIFRA-07-2004-0041
Response to Order Regarding Motion for Clarification of Record

MESSAGE:

Sent under this cover is the Response to Order Regarding Motion for Clarification of Record in the above-referenced matter. The original will be sent via Federal Express on April 29, 2005.

FROM: Chris R. Dudding, Attorney
Office of Regional Counsel
U.S. Environmental Protection Agency
Region VII
901 N. Fifth Street
Kansas City, Kansas 66101

Sender's Direct Dial Telephone Number: (913) 551-7524
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3 pages including cover sheet

CONFIDENTIALITY NOTE

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CHRIS R. DUDDING
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ENVIRONMENTAL APPEALS BOARD

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ENVIRONMENTAL APPEALS BOARD**

WASHINGTON, DC

In the Matter of)

FRM Chem, Inc.,)
a.k.a. Industrial Specialties)

Respondent)

Docket No. FIFRA-07-2004-0041

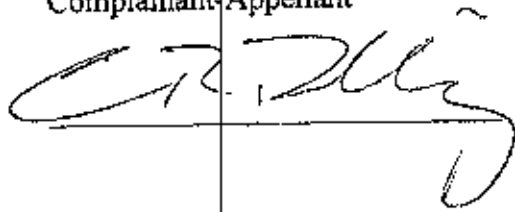
RESPONSE TO ORDER REGARDING MOTION FOR CLARIFICATION OF RECORD

Pursuant to the Order issued by the Environmental Appeals Board on March 25, 2005, Complainant-Appellant, the Environmental Protection Agency, Region VII, declines to submit a response to Respondent-Appellee's "Summary and Response" to Complainant-Appellant's post-hearing brief. Complainant-Appellant also elects to continue its appeal of the Initial Decision before the Environmental Appeals Board and does not request a remand to the Presiding Officer below for a reconsideration of the Initial Decision.

Respectfully submitted,

Chris R. Dudding
Assistant Regional Counsel
Complainant-Appellant

By:



Re: FRM Chem, Inc., a.k.a. Industrial Specialties
Docket No. FIFRA-07-2004-0041

CERTIFICATE OF SERVICE

I hereby certify that today I sent via facsimile Complainant-Appellant's Response to Order Regarding Motion for Clarification of Record to the Clerk of the U.S. EPA Environmental Appeals Board and to Respondent, and sent by Federal Express mail the original document to the U.S. EPA Environmental Appeals Board, and mailed a copy of this document via First-Class Mail to the following:

Raymond E. Kastendieck
President
FRM Chem, Inc.
P.O. Box 207
50 Hiline Dr.
Washington, MO 63090

Dated: April 29 2005

