

EXHIBIT 5

BEFORE THE ENVIRONMENTAL APPEALS BOARD
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

_____)	
In re:)	
)	
Ross Transport Co., Inc.)	RCRA(9006) Appeal No. 14-01
and Arnold Steinman)	
)	
RCRA-03-2010-0268)	
)	
_____)	

**CERTIFICATION OF JOYCE HOWELL IN SUPPORT OF COMPLAINANT'S
BRIEF IN RESPONSE TO THE ENVIRONMENTAL APPEALS BOARD'S FEBRUARY
14, 2014 ORDER**

I Joyce Howell, hereby certify that:

1. This submission is made pursuant to the Environmental Appeals Board's Order dated February 14, 2014.
2. I am the EPA attorney assigned to this matter as such I am familiar with the facts set forth herein.
3. In July, 2013, shortly after service of the Complainant's first submission in response to the Order to Supplement the Record, I participated in a conference call with Marie Owens Powell, the EPA case officer assigned to this matter, and Respondent Arnold Steinman. Respondent Steinman expressed a desire to avoid default and to "working things out."
4. During the telephone conversation, I suggested that Respondent Steinman retain counsel, submit a writing to the Presiding Officer, and submit a writing to the Associate

Director of the Office of Land Enforcement as to Respondent's desire to avoid default. I directed Respondent Steinman to the pleadings as the source of the addresses and other issues to address in any writing he would submit. To my knowledge Respondent Steinman never submitted anything to EPA.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on

March 11, 2014

Name:

Joyce A. Howell

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