

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

\_\_\_\_\_) )  
In re: ) )  
 ) )  
The Okonite Company, Inc. ) )  
Docket No. TSCA-02-2010-9104 ) )  
\_\_\_\_\_)

**NOTICE OF APPEAL**

The United States Environmental Protection Agency (“Appellant”) seeks review of the Initial Decision of Administrative Law Judge Barbara A. Gunning issued on March 8, 2011, finding no liability, assessing no penalty and dismissing the complaint, for failure or refusals to comply with 40 C.F.R. Sections 761.20 and 761.30, in violation of Section 15(1)(C) of the Toxic Substances Control Act, 15 U.S.C. § 2614(1)(C). Appellant provides notice that it is appealing the above-described adverse aspects of the Initial Decision issued by the Presiding Officer without limitation. In accordance with the Board’s March 31, 2011 Order, there is no brief due in this matter until May 23, 2011.

Respectfully Submitted,

  
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CERTIFICATE OF SERVICE

I hereby certify that on this date the foregoing Notice of Appeal in the Matter of The Okonite Company Inc., Docket No. TSCA-02-2010-9104, was filed with the Environmental Appeals Board electronically, via the CDX portal. In addition, a copy was hand delivered to the Regional Hearing Clerk in EPA, Region 2 and was sent by facsimile and first class mail to each of the other persons listed below:

Honorable Barbara A. Gunning  
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