

SDWA 08-02

**F A X**

Law Office of Felipe N. Gomez, Esq.  
P.O. Box 220550  
Chicago, IL 60622

ENVIR. APPEALS BOARD

2008 JUL 28 PM 2:46

RECEIVED  
U.S. E.P.A.

---

To: USEPA - Env. Appeals Board

Fax number: 1-202-233-0121

From: Felipe N. Gomez, Esq.

Fax number: 773-278-6226

Business phone: 312-399-3966

Home phone:

Date & Time: 7/28/2008 1:16:04 PM

Pages: 1

Re: In Re Rocky Well Service and E.J. Klockenkemper - SDWA 05-2001-002

---

Courtesy copy of Notice of Appeal and Appearance - hard copies en route by U.S. Mail, Motion for Extension to file briefs to follow by facsimile and U.S. Mail. FNG.

---

RECEIVED  
U.S. E.P.A.

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

2008 JUL 23 PM 2:46

In re: )  
 )  
 Rocky Well Service Inc., and )  
 Edward J. Klockenkemper, ) SDWA-05-2001-002 (40 CFR Part 22)  
 )  
 Respondents ) E.A.B. Docket No. \_\_\_\_\_  
 )  
 )

ENVIR. APPEALS BOARD

**NOTICE OF APPEARANCE**

Respondent **Edward J. Klockenkemper**, by and through his counsel, Law Office of Felipe N. Gomez, respectfully files this Notice of Appearance before the USEPA E.A.B. of appellate co-counsel **Felipe N. Gomez, Esq.**, P.O. Box 220550, Chicago, IL. Ph: 312-399-3966, Fx: 773-278-6226, in the in the above-captioned matter.

Submitted By: \_\_\_\_\_ Date: 7-28-08  
 Felipe N. Gomez, Esq.

**CERTIFICATE OF FILING AND SERVICE**

The undersigned does certify that the original of this Notice of Appearance was facsimiled to and mailed for filing to (First Class U.S. Mail, Return Receipt Requested), the Environmental Appeals Board, USEPA, Ariel Rose Building (MC 11038), 1200 Pennsylvania Ave, N.W. Washington D.C., 20460-0001 (Fax 202-233-0121), and that a copy was served by U.S. First Class Mail on 1) Sonja Woodward-Brooks, Regional Hearing Clerk, USEPA, 77 W. Jackson, (C-13J) Chicago, IL. 60604-3590; 2) USEPA Presiding Officer Marcy Toney, Office of Regional Counsel, USEPA, 77 W. Jackson (C-14J), Chicago, IL. 60604-3590; 3) Counsels Ms. Cynthia Kawakami and 4) Ms. Mary McAuliffe, at Office of Regional Counsel (C-14J), 77 W. Jackson, Chicago, IL. 60604-3590, and 5) **Richard J. Day, P.C.**, 413 N. Main Street, St. Elmo, IL 62458 (Fx: 618-829-3340), on this 28 day of July, 2008.

By: \_\_\_\_\_ Date: 7-28-08  
 Felipe N. Gomez, Esq.

Law Office of Felipe N. Gomez  
 P.O. Box 220550  
 Chicago, IL. 60622  
 Ph: 312-399-3966  
 Fax: 773-278-6226

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

In re: )  
)  
Rocky Well Service Inc., and ) SDWA-05-2001-002 (40 CFR Part 22)  
Edward J. Klockenkemper, )  
) E.A.B. Docket No. \_\_\_\_\_  
Respondents )  
)

ENVIRONMENTAL APPEALS BOARD

2008 JUL 28 PM 2:12

RECEIVED  
U.S. E.P.A.

**NOTICE OF APPEAL**

Respondent **Edward J. Klockenkemper**, by and through his counsel, Law Office of Felipe N. Gomez, respectfully files this Notice of Appeal seeking review with regard to Region 5's July 23, 2008, Initial Decision assessing a civil penalty of \$105,590 under Section 1423(c) of the Safe Drinking Water Act, and other decisions and orders by Region 5 Presiding Officer Marcy Toney, Esq., in the above-captioned matter. A joint Motion for Extension of time to file the appellate briefs is being filed in this matter, with reservation of right to file such briefs within the 30 day period (plus 5 days) or other such time as may be ordered by the E.A.B.

Submitted By: \_\_\_\_\_ Date: 7-22-08  
Felipe N. Gomez, Esq.

**CERTIFICATE OF FILING AND SERVICE**

The undersigned does certify that the original of this Notice of Appeal was mailed for filing, First Class U.S. Mail, Certified/Return Receipt Requested, to the Environmental Appeals Board, USEPA, Ariel Rose Building (MC 11038), 1200 Pennsylvania Ave, N.W. Washington D.C., 20460-0001, and that a copy was served by U.S. First Class Mail on 1) Sonja Woodward-Brooks, Regional Hearing Clerk, USEPA, 77 W. Jackson, (C-13J) Chicago, IL. 60604-3590; 2) USEPA Presiding Officer Marcy Toney, Office of Regional Counsel, USEPA, 77 W. Jackson (C-14J), Chicago, IL. 60604-3590; 3) Counsels Ms. Cynthia Kawakami and 4) Ms. Mary McAuliffe, at Office of Regional Counsel (C-14J), 77 W. Jackson, Chicago, IL. 60604-3590, and 5) Richard J. Day, P.C., 413 N. Main Street, St. Elmo, IL 62458, on this 28 day of July, 2008.

By: \_\_\_\_\_ Date: 7-29-08  
Felipe N. Gomez, Esq.

Law Office of Felipe N. Gomez  
P.O. Box 220550  
Chicago, IL. 60622  
Ph: 312-399-3966  
Fax: 773-378-6226