

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

In re:)	
)	
Freedom Performance, LLC)	CAA Appeal No. 20-(01)
)	
CAA-HQ-2019-8362)	
)	
)	

ORDER DECLINING TO EXERCISE SUA SPONTE REVIEW

On February 24, 2020, Administrative Law Judge (“ALJ”), Susan L. Biro, issued an Initial Decision and Penalty Order in the above-captioned matter.¹ No appeal has been filed, and the Environmental Appeals Board is declining to review the case on its own initiative. *See* 40 C.F.R. §§ 22.27(c)(4), 22.30(b). Accordingly, the Initial Decision and Penalty Order will become a final order on April 9, 2020, pursuant to 40 C.F.R. § 22.27(c).

So ordered.²

Dated: **Apr 02 2020**

ENVIRONMENTAL APPEALS BOARD

By:
 Mary Kay Lynch
 Environmental Appeals Judge

¹ On December 16, 2019, the ALJ issued an Order on Complainant’s Motion for Default Judgment in which she determined that Respondent was in default and liable for the violations alleged in the Complaint.

² The three-member panel deciding this matter consists of Environmental Appeals Judges Aaron P. Avila, Mary Kay Lynch, and Kathie A. Stein.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Declining to Exercise Sua Sponte Review* in the matter of Freedom Performance, LLC, Docket No. CAA-HQ- 2019-8362, were sent to the following persons in the manner indicated.

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Dated: Apr 02 2020



Eurika Durr
Clerk of the Board