

In the Matter of: *Ronald H. Hunt, et al.*

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TSCA Appeal No. 05-01

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ENVIRONMENTAL APPEALS BOARD

ENV. APPEALS BOARD

In the Matter of:

RONALD H. HUNT, *ET AL.*

Docket No. TSCA-03-2003-0285

TSCA Appeal No. 05-01

Complainant's Notice of Potential Witness Issue

Complainant-Appellee hereby notifies the Environmental Appeals Board that this week it learned that there may be licensing issues concerning certain City of Richmond inspectors, including one of Complainant's witnesses in the above-referenced matter, and that Complainant is investigating this issue further. Complainant requests that the Board refrain from issuing a Final Decision on this matter until Complainant completes this investigation. Complainant will report back to the Board and Respondents' counsel no later than December 9, 2005 on the status of this investigation.

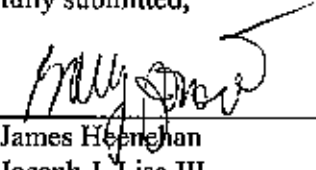
On November 18, 2005, Complainant's counsel, James Heenehan, notified Respondents' counsel, Bradley Marr, via telephone of Complainant's intent to file this Notice prior to its being filed with the Board, and sent a copy of this Notice to Respondents' counsel via facsimile and First Class Mail. During that telephone conversation, Mr. Marr stated that he has no objection to the filing of this Notice.

Respectfully submitted,

Date:

11/18/05

By:

  
James Heenehan  
Joseph J. Lisa III  
Senior Assistants Regional Counsel  
U.S. EPA Region III

OF COUNSEL:

Gary A. Jones  
Office of Civil Enforcement

**CERTIFICATE OF SERVICE**

I hereby certify that on the date provided below, I hand-delivered the original and five true and correct copies of *Complainant's Notice of Potential Witness Issue* (TSCA Appeal No. 05-01) to:

U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board  
Colorado Building  
1341 G. Street, NW, Suite 600  
Washington, D.C. 20005

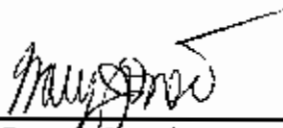
I also certify that on the date provided below, I served true and correct copies of *Complainant's Notice of Potential Witness Issue* (TSCA Appeal No. 05-01) on the following parties via First Class Mail:

The Honorable Susan L. Biro  
Chief Administrative Law Judge  
Office of Administrative Law Judges  
U. S. Environmental Protection Agency  
Mail Code 1900L  
1099 14<sup>th</sup> St., N.W., Suite 350  
Washington, D.C. 20460

Regional Hearing Clerk  
U.S. EPA - Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Bradley P. Marrs, Esq.  
Christopher Hill, Esq.  
Meyer, Goergen & Marrs, PC  
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Richmond, Va 23226  
804-288-1990 FAX  
804-622-1237 voice

Date: 11/18/05

By:   
Gary A. Jones  
Senior Counsel for Strategic Litigation  
Office of Civil Enforcement (2241-A)  
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Washington, DC 20460