



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

EPA REGION 1 - NEW ENGLAND  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

OFFICE OF  
REGIONAL COUNSEL

HUGH W. MARTINEZ  
SENIOR ENFORCEMENT COUNSEL  
[Martinez.hugh@epa.gov](mailto:Martinez.hugh@epa.gov)

**BY EAB ELECTRONIC FILING SYSTEM  
AND ELECTRONIC MAIL ([Clerk EAB@epa.gov](mailto:Clerk_EAB@epa.gov))**

*March 5, 2021*

Eurika Durr, Clerk of the Board  
Environmental Appeals Board  
U.S. Environmental Protection Agency  
WJC East Building 1103M  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-0001

Re: *In Re: Build-It Bros., LLC*, TSCA Appeal No. 20-06 (Docket No. TSCA-01-2019-0055); USPS Tracking Data for February 18, 2021 EPA Response to EAB Order for Sua Sponte Review

Dear Ms. Durr:

Please find enclosed for filing with this cover letter and accompanying Certificate of Service the U.S. Postal Service tracking data showing delivery to Respondent of EPA's Response to Environmental Appeals Board Order Electing to Exercise Sua Sponte Review and Establishing Briefing Schedule, electronically filed with the EAB, on February 18, 2021, in the above-referenced matter.

Thank you for your assistance with this filing.

Sincerely,

Hugh W. Martinez, Counsel for Complainant

Enclosures

cc: David Magee, Build-It Bros., LLC  
Wanda Santiago, Regional Hearing Clerk

CERTIFICATE OF SERVICE

I hereby certify that, on the date indicated below, the accompanying Cover Letter to the Clerk of the Board and 2-page USPS tracking data showing delivery to Respondent of EPA's February 18, 2021 Response to Environmental Appeals Board Order Electing to Exercise Sua Sponte Review and Establishing Briefing Schedule were filed with the EAB using the EAB's e-filing system and, also, sent in the manner indicated to the Clerk of the Board, the Regional Hearing Clerk and Respondent, as follows:

A copy of each in portable document format (PDF) to these individuals, via e-mail at

Eurika Durr, Clerk of the Board ([Clerk\\_EAB@epa.gov](mailto:Clerk_EAB@epa.gov))  
Environmental Appeals Board  
U.S. Environmental Protection Agency  
WJC East Building 1103M  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-0001

[R1\\_Hearings\\_Clerk\\_Filings@epa.gov](mailto:R1_Hearings_Clerk_Filings@epa.gov)  
Wanda I. Santiago, Regional Hearing Clerk  
EPA Region 1 – New England  
5 Post Office Square, Suite 100 (Mail Code 04-6)  
Boston, MA 02109-3912

and

[dmagee@dr.com](mailto:dmagee@dr.com)  
David Magee, Owner  
Build-It Bros., LLC  
38 Mussey Road  
Scarborough, ME 04074

A hard copy of each to Respondent by certified, Priority Mail Express to

David Magee, Owner  
Build-It Bros., LLC  
38 Mussey Road  
Scarborough, ME 04074

---

*Signature and Date*

Hugh W. Martinez, Senior Enforcement Counsel  
U.S. EPA Region 1  
5 Post Office Square, Suite 100 (Mail Code 04-3)  
Boston, MA 02109-3912  
(dir.) (617) 918-1867 (fax.) (617) 918-0867  
(e-mail) [Martinez.hugh@epa.gov](mailto:Martinez.hugh@epa.gov)