

RECEIVED
U.S. E.P.A.

2008 MAR 13 PM 1:20

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

In the Matter of: : TSCA Appeal No. 06-(01)

Environmental Protection Services, Inc. :
P.O. Box 710 :
Wheeling, WV 26003-0091, : U.S. EPA, Region III's Response to
Appellant. : Appellant's Motion to Stay Enforcement

Docket No. TSCA -03-2001-0331 :

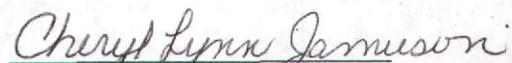
4 Industrial Park Drive :
Wheeling, WV 26003, :

Facility. :

U.S. EPA, Region III's Response to Appellant's Motion to Stay Enforcement

The U.S. Environmental Protection Agency, Region III, ("EPA Region III") is in receipt of Appellant's *Motion to Stay Enforcement*, dated March 4, 2008. EPA Region III does not oppose the Motion but respectfully reserves the right to recover any interest authorized by law on the stayed penalty.

Respectfully submitted,


Cheryl Lynn Jamieson
Counsel
U.S. Environmental Protection Agency
Region III

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

In Re:

Environmental Protection Services, Inc. : Docket No.: TSCA Appeal No. 06-(01)
4 Industrial Park Drive :
Wheeling, WV 26003-0091, :
Appellant. :

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on the date provided below, I served the *U.S. Environmental Protection Agency, Region III's Response to Appellant's Motion to Stay Enforcement* in the above-captioned matter on the following persons in the manner set forth below:

Via Telefacsimile and First-Class Mail:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
(MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001
FAX: 202 233-0121

Marian Hwang, Esq.
Miles & Stockbridge, P.C.
10 Light Street
Baltimore, MD 21202
FAX: 410 385-3700

Edward L. Kropp, Esq.
Jackson Kelly, PLLC
1600 Laidley Tower
500 Less Street East
Charleston, WV 25301
FAX: 304 340-1130

March 12, 2008
Date

Cheryl Lynn Jamieson
Cheryl Lynn Jamieson
Senior Assistant Regional Counsel
U.S. EPA - Region III