

Nov 21 2019

Clerk, Environmental Appeals Board
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**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

REGIONAL HEARING
CLERK
2019 NOV 25 AM 11:01
U.S. Environmental
Protection Agency - Reg. S

In re: _____)
Tower Exterminating Corp., aka _____)
Tower & Son Exterminating Corp. _____)
and Wilson J. Torres Rivera _____)
Docket No. FIFRA-02-2016-5306 _____)
_____)

FIFRA Appeal No. 19-(01)

ORDER DECLINING TO EXERCISE *SUA SPONTE* REVIEW

On October 8, 2019, Regional Judicial Officer Helen S. Ferrara issued an Initial Decision and Default Order in the above-captioned case, and it was served on the parties on October 9, 2019. Neither party appealed. The Environmental Appeals Board declines 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 Default Order will become a final order on November 25, 2019, pursuant to 40 C.F.R. §§ 22.7(a) and 22.27(c).

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Date: **Nov 21 2019**

By: *Kathie A. Stein*
Kathie A. Stein
Environmental Appeals Judge

¹ 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 hereby certify that copies of the foregoing **Order Declining to Exercise *Sua Sponte* Review** in the matter of *Tower Exterminating Corp., aka Tower & Son Exterminating Corp. and Wilson J. Torres Rivera*, FIFRA Appeal No. 19-(01), were sent to the following persons in the manner indicated:

By First Class U.S. Mail, Return Receipt Requested:

Wilson J. Torres Rivera
c/o Tower & Son Exterminating Corp.
Post Office Box 1045
Bayamon, Puerto Rico 00960

Wilson J. Torres Rivera, President
Tower & Son Exterminating Corp.
Post Office Box 1045
Bayamon, Puerto Rico 00960

By EPA Pouch Mail:

Regional Judicial Officer Helen S. Ferrara
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

Bruce Aber, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

By EPA Interoffice Mail:

Rosemarie Kelley, Director, Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 2241A
Washington, D.C. 20460

Date: Nov 21 2019



Eurika Durr
Clerk of the Board