#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 05 AUG 11 AM 11:31

#### **BEFORE THE ADMINISTRATOR**

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ENVIRONMENTAL PROTECTION Agency-region VII Regional Hearing Clerk

In the Matter of

Yates Center Elevator, Inc.,

Docket No. FIFRA-07-2005-0235

Respondent

## **Order Of Designation**

Administrative Law Judge Spencer T. Nissen, U.S. Environmental Protection Agency, Washington, D.C., is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 14 of the Federal Insecticide, Fungicide and Rodenticide Act, ("FIFRA"), as amended, 7 U.S.C. §1361 and pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22.

Susan L. Biro Chief Administrative Law Judge

Dated: August 9, 2005 Washington, D.C.

# In the Matter of Yates Center Elevator, Inc., Respondent Docket No. FIFRA-07-2005-0235

### **CERTIFICATE OF SERVICE**

I certify that the foregoing Order Of Designation, dated August 9, 2005, was sent this day in the following manner to the addressees listed below.

hiting-Beale Maria

Maria Whiting Beale Legal Staff Assistant

Dated: August 9, 2005

Original And One Copy By Pouch Mail To:

Kathy Robinson Regional Hearing Clerk U.S. EPA 901 North 5<sup>th</sup> Street Kansas City, KS 66101

Copy By Pouch Mail To:

Chris R. Dudding, Esquire Assistant Regional Counsel U.S. EPA 901 North 5<sup>th</sup> Street Kansas City, KS 66101

Copy By Regular Mail To:

John T. Davis Yates Center Elevator, Inc. 109 N. Pratt Yates Center, KS 66783