

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

December 16, 2009

Honorable Susan L. Biro Chief, Administrative Law Judge (1900) U.S. Environmental Protection Agency Ariel Rios Building 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Re: In the Matter of Apartment R Us Docket No. TSCA-02-2009-9168

Dear Judge Biro:

Pursuant to 40 C.F.R. 22.21(a) of the Consolidated Rules of Practice, I am transmitting a copy of the Complaint and Notice of Opportunity for Hearing in the above captioned matter along with Respondent's Answer and Request for Hearing. Please assign an Administrative Law Judge to serve as Presiding Officer.

Sincerely, Karen Maples

Regional Hearing Clerk

Enclosure

cc: Respondent(s)

Alan Kestenbaum, Esq. Weil & Kestenbaum 42-40 Bell Boulevard, Suite 302 Bayside, New York 11361 (718) 281-0100

Counsel for Complainant:

Melva Hayden, Esq. USEPA - Region II Office of Regional Counsel (212) 637-3230