



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

November 8, 2011

Honorable Susan L. Biro
Chief Administrative Law Judge
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, MC1900L
Washington, D.C. 20460

RE: J.A. SUTHERLAND, INC. AND WALBERG, INC.

DOCKET NUMBER: CAA-09-2011-0007

Complaint Filed: 09/29/2011

Proposed Penalty: Up to \$25,000 per day per violation

Dear Judge Biro:

Pursuant to Section 22.21(a) of the Consolidated Rules of practice (40 C.F.R. Part 22), the above captioned matter is hereby referred to you for assignment of an Administrative Law Judge. A joint Answer has been filed representing both respondents.

Also, in accordance with the Memorandum of Understanding of March 31, 2011 between Region 9 and the Office of Administrative Law Judges, the complete official Agency case file is being transmitted to the Headquarters Hearing Clerk, who will serve as designated recipient of all future pleadings and correspondence filed in this matter.

Respondents are represented by:

John M. Murray, Esq.
McCarthy & Rubright, LLP
100 Rio Street
PO Box 190
Red Bluff, CA 96080

Complainant is represented by:

Carol Bussey, Esq.
Assistant Regional Counsel
Office of Regional Counsel
US EPA, Region 9
75 Hawthorne Street, ORC-2
San Francisco, CA 94105

Sincerely yours,

A handwritten signature in cursive script that reads "Bryan K. Goodwin".

Bryan K. Goodwin
Regional Hearing Clerk

Cc: J. Murray; C. Bussey