# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

#### BEFORE THE ADMINISTRATOR

In the Matter of		)
Schmitt Sales, Inc.,		) Docket No. RCRA-02-2011-7508
		)
		)
	Respondent	)

### **Order Of Designation**

Administrative Law Judge Barbara A. Gunning, U.S. Environmental Protection Agency, Washington, D.C., is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 9006 of the Solid Waste Disposal Act, as amended, 42 U.S.C. § 6901 et seq. 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: September 20, 2011 Washington, D.C.

## <u>In the Matter of Schmitt Sales, Inc.</u>, Respondent Docket No. RCRA-02-2011-7508

#### **CERTIFICATE OF SERVICE**

I certify that the foregoing **Order Of Designation**, dated September 20, 2011, was sent this day in the following manner to the addressees listed below.

Maria Whiting-Beale

Staff Assistant

Dated: September 20, 2011

Original And One Copy By Pouch Mail To:

Karen Maples Regional Hearing Clerk U.S. EPA 290 Broadway, 16<sup>th</sup> Floor New York, NY 10007-1866

Copy By Pouch Mail To:

Stuart Keith, Esquire Assistant Regional Counsel U.S. EPA 290 Broadway, 16<sup>th</sup> Floor New York, NY 10007-1866

Thomas J. Fucillo, Esquire Menter, Rudin & Trivelpiece, P.C. 309 Maltbie Street, Suite 200 Syracuse, NY 13204