



**Environmental Control Board**  
A Division of the Office of Administrative Trials and Hearings 

**Environmental Control Board**  
Appeals Unit  
66 John St., 10th Floor  
New York, NY 10038  
Tel: (212) 361-1400  
Fax: (212) 316-3654

## ECB APPEAL APPLICATION

*You may use this form for your appeal. Please read the instructions carefully. When you have completed the application, mail your form and documents to the address above. Please attach a copy of your Hearing Decision.*

### INFORMATION ABOUT YOU AND YOUR VIOLATION

DATE: _____	
VIOLATION NUMBER(S) (use an extra page if needed): _____	
NAME: _____	REPRESENTATIVE NAME: _____
MAILING ADDRESS: _____	MAILING ADDRESS: _____
TELEPHONE NUMBER: _____	TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____	

### STEPS YOU HAVE TO TAKE TO HAVE ECB DECIDE YOUR APPEAL

1) Will the appeal be received within 30 days of the mailing date on the hearing decision?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<i>Your appeal will be rejected unless it is received no more than 30 days after the mailing date of the decision. This date is below the ALJ's signature on the front of your hearing decision. You must send your appeal to both ECB and the agency responsible for the violation (see Section 4).</i>		
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2) Have you paid?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<i>Payment must be made within 20 days of the mailing date of the decision. Payment means you have either: paid the penalty, posted a bond or been granted a waiver.</i>		
- I have paid the penalty for my violation.	<input type="checkbox"/>	<input type="checkbox"/>
- I have posted a bond for the amount of penalty.	<input type="checkbox"/>	<input type="checkbox"/>
- I am requesting a waiver of payment of the penalty because it will be a hardship to pay while my appeal is being decided.	<input type="checkbox"/>	<input type="checkbox"/>
<i>If you are requesting a waiver, you must attach financial documentation to support your request. An example of financial documentation is a copy of the first two pages of your most recent income tax return.</i>		
<i>Check here if you are attaching financial documentation.</i>	<input type="checkbox"/>	

— PLEASE TURN OVER —

3) This is why the decision is wrong.

You may only rely on facts or evidence or arguments that were used at the hearing. ECB will not use new facts and arguments to decide your appeal. You have to show that the hearing decision was based either on facts that were incorrect or an error in applying the law, or both.

Multiple horizontal lines for writing the reasons why the decision is wrong.

4) (a) Have you sent a copy of your completed appeal to the agency responsible for the violation?

Yes  No

Your appeal will be rejected unless you send a copy of your completed appeal application to the agency responsible for the violation. The addresses of all the agencies are printed on the back of your hearing decision.

(b) Have you sent ECB proof that you mailed the appeal to the agency at the same time that you sent it to ECB?

You can prove you sent a copy to the agency by completing and signing the statement below and having your signature notarized.

I \_\_\_\_\_ swear or affirm that on \_\_\_\_\_,  
(your name) (date)

I sent a copy of my appeal of violation number \_\_\_\_\_  
(your violation number)

to: (name and address of agency responsible for your violation)

\_\_\_\_\_  
\_\_\_\_\_

by placing it in a U.S. Postal Service mailbox.

\_\_\_\_\_  
(your signature)

Notary Public