



IN THE MATTER OF:

JAROMIR KOVARIK,

ARB CASE NO. 2024-0024

COMPLAINANT,

ALJ NO. 2023-PSI-00004

ALJ NATALIE A. APPETTA

V.

DATE: FEBRUARY 16, 2024

**GROUNDWATER & ENVIRONMENTAL
SERVICES, INC., and ENERGY
TRANSFER OPERATING L.P.,**

RESPONDENTS.

NOTICE OF ADMINISTRATIVE CLOSURE

This matter arises under the employee protection provisions of the Pipeline Safety Improvement Act of 2002 (PSIA), and its implementing regulations.¹ This matter is currently pending before the United States Department of Labor Office of Administrative Law Judges. On February 1, 2024, an Administrative Law Judge (ALJ) issued an Order Denying Complainant Jaromir Kovarik's Motion to Stay Instant Proceedings as Moot and Dismissing Complaint with Prejudice, which, among other things, dismissed Complainant Jaromir Kovarik's complaint with prejudice. On February 7, 2024, Complainant filed a Motion to Reconsider Order Denying His Motion to Stay Instant Proceedings and Order Dismissing Complaint with Prejudice (Motion for Reconsideration) with the ALJ. On the same day, Complainant filed a copy of the Motion for Reconsideration with the Administrative Review Board (Board) using the Board's Electronic Filing and Service (EFS) System, and the case was administratively assigned ARB Case Number 2024-0024. On February 9, 2024, the ALJ issued an Order Granting Complainant Jaromir Kovarik's Motion to Reconsider which, among other things, reinstated Complainant's complaint.

¹ 49 U.S.C. § 60129, as implemented by 29 C.F.R. Part 1981 (2023).

Although Complainant cross-filed a copy of his Motion for Reconsideration with the Board, the Motion for Reconsideration was addressed to and sought relief exclusively from the ALJ and does not constitute a petition for review under the PSIA. Accordingly, the case before the Administrative Review Board is **ADMINISTRATIVELY CLOSED.**

**FOR THE ADMINISTRATIVE REVIEW BOARD
PURSUANT TO DELEGATED AUTHORITY:**

A handwritten signature in black ink, reading "Thomas O. Shepherd, Jr.", written in a cursive style.

Thomas O. Shepherd, Jr.
Clerk of the Appellate Boards