

ATTACHMENT 2



FAX TRANSMISSION

U.S. Environmental Protection Agency

To: Brian Sargent
Date: January 26, 2010
Fax #: 570 325 8006
Pages: 1, including this cover sheet.
From: Jennifer M. Abramson
Subject: Docket No.: CAA-03-2009-0189

COMMENTS:

Dear Mr. Sargent:

I just received you January 21, 2010 facsimile.

While I don't agree with your characterization of the events relating to past settlement attempts, EPA would be happy to continue the dialogue with you at any time. I just left a message with your receptionist requesting that you return my phone call, at (215) 814-2066.

You should know that I have not received copies of any filings by Sargent Enterprises, Inc. ("Sargent") since EPA filed its November 24, 2009 Initial Prehearing Exchange, and suspect that Sargent may be in default of both Judge Gunning's September 24, 2009 Prehearing Order, which directed Sargent file its Prehearing Exchange on or before December 22, 2009, and of Judge Gunning's December 20, 2009 Order to Show Cause, which directed Sargent to show cause, if any, on or before January 19, 2010, why it failed to meet the December 22, 2009 filing deadline. I strongly encourage Sargent to respond to these Orders immediately to avoid being issued a Default Order, which would constitute an admission of all facts alleged in the Complaint and a waiver of Sargent's right to contest such factual allegations.

Jennifer M. Abramson
Senior Assistant Regional Counsel

NO.	COM	PAGES	FILE	DURATION	X/R	IDENTIFICATION	DATE	TIME	DIAGNOSTIC
53	OK	002	084	00:01'33	RCV		JAN-17	15:10	0110270577000
54	OK	002	085	00:01'32	RCV		JAN-17	15:32	0110270577000
55	OK	023	086	00:06'34	RCV		JAN-17	16:09	0110270377000
56	OK	001	087	00:00'58	RCV		JAN-17	18:52	0110270577000
57	OK	001	088	00:00'57	RCV		JAN-17	19:04	0110270577000
58	OK	001	089	00:00'54	RCV		JAN-17	22:19	0110270577000
59	OK	001	090	00:00'56	RCV		JAN-17	22:53	0110270577000
60	OK	001	091	00:00'47	RCV		JAN-18	05:55	0110270577000
61	OK	001	092	00:03'20	RCV		JAN-18	07:34	0110270567000
62	OK	001	093	00:00'49	RCV		JAN-18	09:19	0110270577000
63	416	001	094	00:00'42	RCV	877-270-6185	JAN-18	11:58	0050270377000
64	OK	002	095	00:01'06	RCV	2152232002	JAN-18	12:35	0150270577000
65	OK	001	096	00:00'57	RCV		JAN-18	13:33	0110270577000
66	OK	001	097	00:00'48	RCV		JAN-18	13:39	0110270577000
67	459	001	098	00:18'16	RCV	877-270-6185	JAN-18	16:08	0050270307000
68	OK	017/017	099	00:04'45	XMT	92159312853	JAN-19	10:24	0800470377000
69	416	001	100	00:00'53	RCV	877-270-6185	JAN-19	11:04	0050270377000
70	OK	003/003	101	00:00'55	XMT	92152457101	JAN-19	11:42	0840470377000
71	OK	002/002	102	00:00'39	XMT	912025648955	JAN-19	12:15	0840470377000
72	OK	001	103	00:00'32	RCV		JAN-20	09:54	0110270377000
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74	OK	003/003	105	00:01'00	XMT	912025648955	JAN-20	11:35	0840470377000
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76	OK	002	107	00:00'43	RCV	304 232 1599	JAN-20	16:10	0150270377000
77	OK	001	108	00:00'50	RCV	954-524-2430	JAN-21	19:13	0150260477000
78	490	001	109	00:00'54	RCV	954-524-2430	JAN-21	19:14	0050260477000
79	OK	001	110	00:01'02	RCV	954-524-2430	JAN-21	19:16	0150260477000
80	OK	001	111	00:01'08	RCV	954-524-2430	JAN-21	19:19	0150260477000
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83	OK	030/030	114	00:09'00	XMT	918565836033	JAN-24	12:43	0840470A77000
84	OK	001	115	00:00'32	RCV	410 727 5590	JAN-24	13:05	0150270377000
85	OK	004	116	00:02'10	RCV	215 628 0646	JAN-24	13:37	0150270337000
86	OK	002	117	00:01'41	RCV	276 688 1530	JAN-24	14:11	0150270567000
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89	OK	001	119	00:00'42	RCV		JAN-24	17:13	0110270577000
90	OK	004/004	120	00:01'06	XMT	92157659066	JAN-24	17:37	0840470377000
91	OK	001	121	00:00'29	RCV		JAN-24	20:17	0110270577000
92	OK	001	122	00:00'38	RCV		JAN-24	20:18	0110270577000
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97	OK	001	127	00:00'53	RCV		JAN-25	08:09	0110270577000
98	OK	001	128	00:00'45	RCV		JAN-25	08:19	0110270577000
99	OK	006/006	129	00:01'46	XMT	914103053093	JAN-25	10:43	2800470377000
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02	OK	001/001	132	00:00'29	XMT	915703258006	JAN-25	16:47	0840470377000