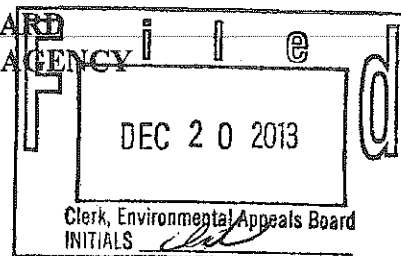


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC



_____)
In re:)
Ms. Dessie L. Brumfield,)
d/b/a Brumfield Properties, LLC,)
_____)
Docket No. TSCA-05-2010-0014)
_____)

TSCA Appeal No. 13-(04)

ORDER GRANTING MOTION FOR EXTENSION OF TIME

By motion dated December 18, 2013, U.S. Environmental Protection Agency (EPA), Region 5 (Region), requested a thirty-day extension of time to file a notice of appeal and brief in the above-captioned matter. *See generally* Motion for 30-Day Extension of Time to File Notice Appeal and Appellate Brief. The Region requests the extension of time due to the need to coordinate with other EPA offices on potentially nationally-significant issues in the appeal. *Id.* at 1. According to the Region, “Due to the current holiday season, many persons at EPA with whom Complainant must coordinate on an appeal are, or soon will be, out of the office until January 6, 2014.” *Id.* at 2. Moreover, the Region explains that its lead counsel for this matter is undergoing surgery and will also be out of the office until January 6, 2014. *Id.*

Ms. Brumfield’s position on this motion is unknown. The Region states that it is unable to contact Ms. Brumfield by telephone because her last two known telephone numbers are no longer in service, and as of the date of the motion, she has not responded to the Region’s attempts to contact her by e-mail. *Id.*

For good cause shown, the Region’s motion for an extension of time to file its notice of

appeal and brief is GRANTED. Because the Initial Decision was served to the Region by mail on December 4, 2013, under the relevant Agency regulations, Region's notice of appeal and brief would be due within thirty days of service of the Initial Decision, plus an additional five days, on January 8, 2014. 40 C.F.R. §§ 22.7(c), .30(a). In light of the extension the Board is granting the Region, the Region's notice of appeal and brief are now due on Friday, February 7, 2014, and Ms. Brumfield's response brief (and, if appropriate, notice of appeal) is due within twenty days of service of the Region's appeal. *Id.*

So ordered.

Dated: *December 20, 2013*

ENVIRONMENTAL APPEALS BOARD

By: *Ruth A. Steen for Randolph L. Hill*
Randolph L. Hill
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Motion for Extension of Time** in *In re Ms. Dessie L. Brumfield, d/b/a Brumfield Properties, LLC*, TSCA Appeal No. 13-(04), were sent to the following persons in the manner indicated:

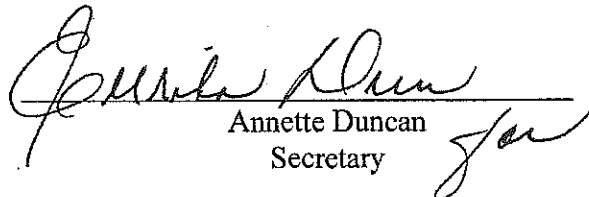
By First Class U.S. Mail:

Dessie L. Brumfield
5067 North 37th Street
Milwaukee, WI 53290

By EPA Pouch Mail:

Jeffrey M. Trevino
Office of Regional Counsel
U.S. EPA Region 5
77 West Jackson Boulevard, C-14J
Chicago, IL 60604-3590

Date: 12/20/2013


Annette Duncan
Secretary

