## BEFORE THE ENVIRONMENTAL APPEALS BOARD UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C.

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In re:

HAGERSTOWN AIRCRAFT SERVICES, INC.,

Respondent

Docket No. RCRA-03-2011-0112

### MOTION TO SET ASIDE DEFAULT ORDER AND

# TEMPORARILY STAY PROCEEDINGS

Exhibit E

### WHITEFORD, TAYLOR & PRESTON L.L.P.

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July 26, 2013

#### VIA EMAIL TO HOWELL.JOYCE@EPA.GOV AND FEDERAL EXPRESS, STANDARD OVERNIGHT DELIVERY

Joyce Howell, Esquire Senior Assistant Regional Counsel U.S. Environmental Protection Agency, Region III Office of Regional Counsel (3RC30) 1650 Arch Street Philadelphia, PA 19103-2029

#### Re: In the Matter of Hagerstown Aircraft Services, Inc. EPA ID No. MDD046282398 Docket No. RCRA-03-2011-0112

Dear Ms. Howell:

My firm and I have been retained to represent Hagerstown Aircraft Services, Inc. ("Hagerstown Aircraft") regarding the above-referenced matter. I have received a copy of the Initial Decision and Default Order served on my client on July 5, 2013 and would like to arrange a time to speak with you as soon as possible next week. Specifically, I would like to discuss the unique circumstances in which my client finds itself, steps that Hagerstown Aircraft has subsequently taken to address the waste management issues underlying the matter and possible actions to resolve the issue in an efficient manner.

Note that this request is made for settlement discussion purposes only and nothing stated herein shall be construed as an acknowledgement of fact. Please contact me at tzivkovich@wtplaw.com or 410-347-8778 at your earliest convenience. I look forward to speaking with you. Joyce Howell, Esq. July 26, 2013 Page 2

x

Sincerely,

M. Trent Zivkovich

cc: Kim Potter, Hagerstown Aircraft Services, Inc.