

U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
901 N. 5th STREET
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

In the Matter of)
)
Premier Property Management, LLC) Docket No. TSCA-07-2009-0005
doing business as:)
Delaware Premier Property)
Management, LLC,)
)
and)
)
S2S Sunswept Associates, LLC,)
)
Respondents)

MOTION BY AGREEMENT FOR EXTENSION OF TIME TO
FILE PREHEARING EXCHANGES

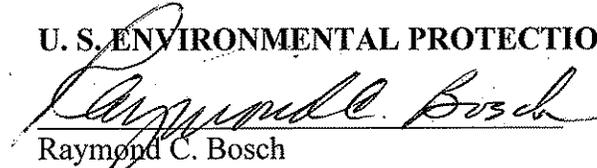
COMES NOW the Complainant and for its Motion states as follows:

1. The Complaint in this case was filed on January 14, 2009. It is an action under Section 409 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2689, for failure to comply with the regulatory requirements of 40 C.F.R. Part 745, Subpart F, *Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property*, known as the "Disclosure Rule."
2. The Prehearing Order issued by the Presiding Officer in this case on March 18, 2009 requires each party to file its prehearing exchange on May 18, 2009.
3. In light of a lead-based paint inspection recently completed by the Respondents and presented to the Complainant on May 11, 2009, the parties have agreed to settle this matter by way of a Consent Agreement and Final Order (CAFO). The terms of the CAFO, which is currently being reduced to writing for formal execution by the parties, require Respondents to pay a cash penalty of \$6,553.
4. This motion is being filed by agreement of the parties, neither of whom have previously requested an extension of time in this case for any reason.

WHEREFORE, by agreement of all parties to this case, the Complainant requests an extension of time in which the parties are required to file their prehearing of exchanges from May 18, 2009 to June 1, 2009, so that a CAFO which will fully settle this matter can be prepared, executed and filed.

Respectfully submitted,

U. S. ENVIRONMENTAL PROTECTION AGENCY



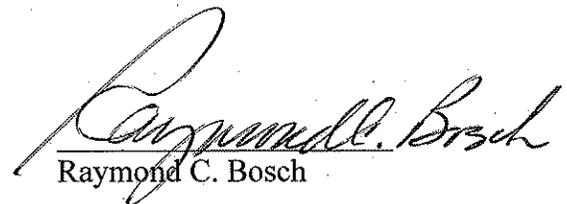
Raymond C. Bosch
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region VII
901 North Fifth Street
Kansas City, Kansas 66203

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of May, 2009, I filed by hand the original and one copy of Complainant's Motion by Agreement for Extension of Time to File Prehearing Exchanges, with Kathy Robinson, Regional Hearing Clerk, EPA Region VII, 901 N. 5th Street, Kansas City, Kansas 66101, and sent via facsimile a copy to the following:

Hon. William B. Moran
Administrative Law Judge
U.S. Environmental Protection Agency
Office of the Administrative Law Judges
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1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
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