



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

Joseph J. Lisa  
[Lisa.joseph@epa.gov](mailto:Lisa.joseph@epa.gov)  
215-814-2479

January 7, 2020

VIA USPS - REGULAR MAIL AND EMAIL

Bradley Pollack, Esq.  
753 South Main Street  
Woodstock, VA 22664

VIA EMAIL

Andrew S. Goldman, Esq.  
Senior Assistant Regional Counsel  
U.S. ENVIRONMENTAL PROTECTION AGENCY – REGION III  
1650 Arch Street  
Philadelphia, PA 19103

Re: Site: Magnate LLC Site, Edinburg, Virginia  
Docket No.: CERCLA-03-2019-0120LL

Post Lien Hearing Scheduling Notice

Dear Mr. Pollack and Mr. Goldman:

Please find attached to this letter a copy of the Official Transcript of the lien hearing held in above-captioned case. This Official Transcript will become part of the administrative record of this matter.

With regard to the submission of post-hearing briefs, I am providing the parties with the opportunity to submit a brief for my consideration concerning any matters raised during the lien hearing. Additionally, each party can identify and address in its brief any issue it believes exists concerning the accuracy of the Official Transcript. The filing of a post-hearing brief is not required, but rather is left to the discretion of each party. If a party elects to file a post-hearing brief, the brief needs to be received by the EPA Region III Regional Hearing clerk by **4:00 pm, Thursday, January 30, 2020**.

My office is in receipt of a letter dated December 31, 2019, signed by Mr. Darryl Bates and submitted on behalf of Magnate LLC.<sup>1</sup> In the letter, Mr. Bates provides a summation of Magnate's post-

---

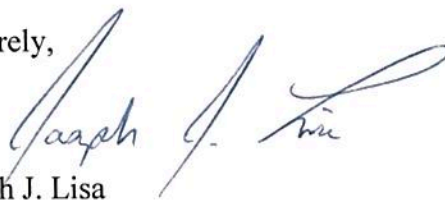
<sup>1</sup> For purposes of the record, it is noted that the December 31, 2019 letter from Magnate contains EPA Region III's letterhead. However, the letter is not an official document of EPA Region III. Additionally, the December 31, 2019 has a

hearing arguments and position and indicates that Magnate has “reviewed the transcript” of lien hearing and is “satisfied with the transcript going forward as the record.” It is my understanding that Magnate was directly provided by the court reporter service with a copy of the Official Transcript of the lien hearing. I would request that Magnate compare the transcript copy it received directly from the court reporting service with the copy being transmitted by the letter and confirm that both copies are identical. Additionally, I am requesting that Magnate notify my office in writing by 4:00 pm, Thursday, January 30, 2020 as to whether Magnate would like the December 31, 2019 letter to constitute its post-hearing submission.

If you have any questions concerning this Scheduling Notice, please contact Ms. Bevin Esposito, Regional Hearing Clerk, at (215) 814-2637.

Thank you for your attention to this matter.

Sincerely,



Joseph J. Lisa  
Regional Judicial and Presiding Officer  
U.S. Environmental Protection Agency – Region III  
1650 Arch Street  
Mailcode (3RC00)  
Philadelphia, Pennsylvania 19103  
Tel: (215) 814-2479  
Email: [lisa.joseph@epa.gov](mailto:lisa.joseph@epa.gov)

cc: Bevin Esposito (Regional Hearing Clerk)

Enclosure - Transcript

---

stamp on page one indicating that it was received by the EPA Region III Regional Hearing Clerk and filed on December 13, 2019. However, this stamp is not accurate as to the date the document was received by EPA Region III or filed as part of the administrative record of this case.