From: Jensen, LeAnn on behalf of R1 Hearing Clerk Filings
To: David Magee; Martinez, Hugh
Cc: Santiago, Wanda; Smart, Mark
Subject: RE: Extension - In the Matter of Built-It Bros., LLC, EPA Docket No. TSCA-01-2019-0055
Date: Thursday, December 5, 2019 3:27:57 PM
Attachments: Standing Order Authorizing Filing and Service by E-Mail, 2014.pdf

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Mr. Magee and Mr. Martinez -

I have received Respondent's request for an extension of time to the hearing date. Note that this request was not submitted in accordance with my October 9, 2014 Standing Order Authorizing Filing and Service by E-Mail in Proceedings Before the Region 1 Regional Judicial Officer (attached) and 40 C.F.R. Part 22.

In addition, Respondent should note that any request to extend a hearing date is premature. After speaking with counsel for Complainant, Mr. Martinez, concerning the procedural status of this matter, it is my understanding that Respondent received the complaint on or about November 8, 2019. The deadline for Respondent to submit an answer to the complaint is due 30 days after the complaint was served, i.e., on or about December 9, 2019. See 40 C.F.R. § 22.15. Accordingly, I assume that Respondent seeks to extend the deadline for the submission of an answer.

Kindly resubmit this request for an extension of the deadline to submit an answer to comply with both the October 9, 2014 Standing Order and applicable Part 22 regulations. In particular, Part 22 and the Order impose the following requirements:

- The subject line of your email must include the name and docket number of the proceeding. TACA-01-2019-0055 is not a correct docket number. Respondent's request must be in Portable Document Format (.pdf) and contain the contact name, phone number, and email address of the filing party or its authorized representative. All documents submitted for filing must be signed, accompanied by a certificate of service, and served on the parties to this matter in accordance with 40 C.F.R. § 22.5(a)(3).

- In addition, the content of Respondent's request must comply with the requirements of 40 C.F.R. § 22.16. This regulation requires, among other things, that a request state the grounds for the request and set forth the relief sought. Stated more plainly, Respondent's request must state why an extension of time is needed and the length of time requested for this extension.

Ms. Santiago or Mr. Smart, please file this email in the file for this matter.

LeAnn Jensen
Regional Judicial Officer, EPA Region 1

-----Original Message-----
From: David Magee <dmagee@dr.com>
Sent: Monday, December 02, 2019 3:48 PM
To: R1 Hearing Clerk Filings <R1_Hearing_Clerk_Filings@epa.gov>
Subject: Extension

This is in response to docket no. TACA-01-2019-0055. I would like to request an extension to my hearing date , or time allotted to reply . I am in direct communication with Hugh Martinez and he has stated he would not object to an extension . Also, I'd like to request a response that this email was received.
Thank you
Build -It Bros., llc
David Magee