

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 4

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HEARING CLERK

In the Matter of:

American Consumer Products,

Respondent.

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Docket No: FIFRA-04-2009-3023

MOTION TO RESCHEDULE HEARING

Comes now Complainant, the United States Environmental Protection Agency pursuant to Rule 22.7(b) of the Consolidated Rules of Practice (40 C.F.R. § 22.7(b)) and respectfully requests that the Hearing in the matter be rescheduled and as good cause therefore states as follows:

The Hearing in this matter is scheduled on October 26, 2010. Counsel for Complainant is also Counsel in another matter before Chief Administrative Law Judge Susan L. Biro (In the Matter of Chem-Way Corporation, Docket No. EPCRA-04-2010-2015). The Hearing for the Chem-Way matter has been scheduled on October 19, 2010. In order to competently represent Complainant, Counsel requires preparation time for each Hearing which is likely to take longer than the week between the two Hearings. Counsel requests that the Hearing for this matter be rescheduled to a later date to allow the necessary preparation time.

Prior to filing this Motion, the undersigned contacted the opposing party as to the request to have the Hearing rescheduled, and said opponent indicated that it does not oppose the Motion.



Jennifer M. Lewis
Counsel for Complainant

7-12-10
Date

Original by Interoffice Mail to:

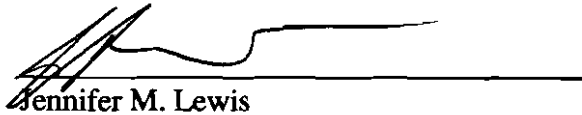
Regional Hearing Clerk
U.S. EPA - Region 4
61 Forsyth St., SW
Atlanta, Georgia 30303

Copy by Certified Mail and facsimile to:

Robin Zahran
American Consumer Products
1301 W. 22nd Street, Suite 815
Oakbrook, IL 60523
Fax No. (706) 562-2222

Copy by Pouch Mail and facsimile to:

The Honorable Susan L. Biro
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1200 Pennsylvania Ave., N.W.
Mail Code 1900L
Washington, DC 20005
Fax No. (202) 565-0044



Jennifer M. Lewis
U.S. Environmental Protection Agency
Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303

Dated: 7-12-10