



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:  
(C-14J)

July 11, 2012

Judge M. Lisa Buschmann  
Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W., Mail Code 1900L  
Washington, D.C. 20460

Re: In the Matter of: Dessie L. Brumfield, d/b/a/ Brumfield Properties, L.L.C.  
Docket No. TSCA-05-2010-0014.

Dear Judge Buschmann:

Enclosed, please find a copy of COMPLAINANT MOTION TO SUPPLEMENT PREHEARING EXCHANGE which I filed with the Regional Hearing Clerk today for this civil administrative action. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Trevino", written over a white background.

Jeffery M. Trevino  
Associate Regional Counsel

Enclosure

cc: LaDawn Whitehead  
Regional Hearing Clerk  
Region 5  
U.S. Environmental Protection Agency  
77 W. Jackson Boulevard (E-19J)  
Chicago IL 60604-3590

Thomas J. McClure  
15 Crossroads Court  
Delafield WI 53018-2035

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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the Matter of:

Ms. Dessie L. Brumfield,  
d/b/a Brumfield Properties, LLC,

Respondent.

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) Docket No. TSCA-05-2010-0014  
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COMPLAINANT MOTION TO  
SUPPLEMENT PREHEARING EXCHANGE

Pursuant to 40 C.F.R. § 22.16 and the Prehearing Order of the Court, dated November 18, 2012, Complainant hereby requests from the Court the authority to Supplement its Prehearing Exchange, dated December 18, 2011, to add one witness and one document to its Prehearing Exchange for this civil administrative action due to the facts cited below.

1. On December 28, 2011, Complainant filed its Prehearing Exchange which included financial documentation to demonstrate Respondent was able to pay the proposed civil penalty for this action. (Prehearing Exchange, dated December 28, 2011, Complainant Exhibit Nos. 4 and 5).
2. Respondent's Answer, dated September 29, 2011, and Prehearing Exchange, dated March 5, 2012, did not claim Respondent was unable to pay the proposed civil penalty.
3. However, Complainant Exhibit Nos. 4 and 5 are now over two-years old.
4. Therefore, Complainant would like to provide the Court and Respondent its updated (July 2012) financial information about Respondent to demonstrate she was, and remains, able to pay the proposed civil penalty.

5. Accordingly, Complainant requests from the Court the authority to Supplement its Prehearing Exchange, dated December 18, 2011, to include the following witness and document:

I. Prospective Fact Witness

D. Maureen E. O'Neill  
Civil Investigator  
Office of Regional Counsel  
Region 5  
U.S. Environmental Protection Agency  
Chicago Illinois 60604-3590  
(312) 886-7158

Ms. O'Neill will testify to her educational background, employment experience, and her investigation of public records demonstrating some assets of Respondent.

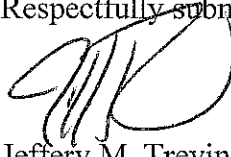
II. Documents and Exhibits

K. EPA Report of Investigation of Dessie L. Brumfield and Brumfield Properties, LLC, July 2012. Ninety-four (94) pages. (Complainant Exhibit 11). Attached.

6. Respondent objects to this Motion.

WHEREFORE, pursuant to 40 C.F.R. § 22.16 and the Prehearing Order of the Court, dated November 18, 2012, Complainant hereby requests from the Court the authority to Supplement its Prehearing Exchange, dated December 18, 2011, to add one witness and one document to its Prehearing Exchange for this action due to the facts cited above.

Respectfully submitted,



Jeffery M. Trevino  
Associate Regional Counsel  
Office of Regional Counsel  
Region 5  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard (C-14J)  
Chicago, Illinois 60604-3590  
Tel. No. (312) 886-6729  
Fac. No. (312) 692-2987

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY**

**BEFORE THE ADMINISTRATOR**

**In the Matter of:**

**Ms. Dessie L. Brumfield,  
d/b/a Brumfield Properties, LLC,**

**Respondent.**

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)  
) **Docket No. TSCA-05-2010-0014**  
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**Certificate of Service**

I hereby certify that today I filed with LaDawn Whitehead, Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, 77 West Jackson Boulevard (E-19J), Chicago, Illinois, 60604-3590, the original document entitled COMPLAINANT MOTION TO SUPPLEMENT PREHEARING EXCHANGE for this civil administrative action and I issued to the Court and Respondent by first class mail a copy of the original document:

M. Lisa Buschmann  
Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.,  
Mail Code 1900L  
Washington, D.C. 20460

Thomas J. McClure  
15 Crossroads Court  
Delafield, WI 53018-2035



Jeffery M. Trevino  
Associate Regional Counsel

Dated

11 July 2012