

From: [Lisa, Joseph](#)
To: [Heywood Becker](#); [Goldman, Andrew](#); [Esposito, Bevin](#)
Subject: Fwd: Chem-Fab Site - CERCLA-03-2019-0111LL Lien Hearing Revised Schedule
Date: Friday, May 29, 2020 9:04:57 AM

Mr Becker

I am in receipt of your request for a postponement

I have forwarded the request to Mr Goldman so that he can provide my office with EPA's response

Mr Goldman, by 5:00 pm Monday June 1, 2020, please provide my office with EPA's response to this request for a postponement

Mr. Becker please make certain that you copy Mr. Goldman, as EPA's legal counsel, and Ms. Esposito, as the EPA Regional Hearing Clerk, on all of your communications with my office

Thank you

Joseph J Lisa

Regional Judicial and Presiding Officer

USEPA Region 3

Sent from my iPhone

Begin forwarded message:

From: Heywood Becker <yalephd1970@gmail.com>
Date: May 29, 2020 at 8:56:47 AM EDT
To: "Lisa, Joseph" <Lisa.Joseph@epa.gov>
Subject: Re: Chem-Fab Site - CERCLA-03-2019-0111LL Lien Hearing Revised Schedule

On behalf of Turog Properties Ltd., I request a postponement of 45 days in which to hire counsel and have them prepare a defense.



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On Tue, May 5, 2020 at 4:52 PM Lisa, Joseph <Lisa.Joseph@epa.gov> wrote:

Please be advised that I am revising the briefing schedule for the aforementioned Lien Hearing as follows;

Turog – Brief and supporting materials to be submitted by 5:00 pm EST, Monday June 8, 2020.

EPA – Brief and supporting materials to be submitted by 5:00 pm EST, Wednesday, July 8, 2020.

All briefs and supporting materials are required to be filed **by email** to the EPA Region III Regional Hearing Clerk Bevin Esposito. Please copy myself (the Regional Judicial Officer) and the opposing party/counsel on your email submissions.

I am asking that the Regional Hearing Clerk print out this email chain and make it part of the administrative record for this matter.

Thank you and stay well.

Joseph J. Lisa

Joseph J. Lisa

Regional Judicial Officer/Presiding Officer

U.S. Environmental Protection Agency – Region III

1650 Arch Street

MailCode 3RC00

Philadelphia, Pennsylvania 19103

Phone: 215-814-2479

Lisa.joseph@epa.gov

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From: Goldman, Andrew <Goldman.Andrew@epa.gov>

Sent: Tuesday, May 05, 2020 8:30 AM

To: Lisa, Joseph <Lisa.Joseph@epa.gov>
Cc: Esposito, Bevin <Esposito.Bevin@epa.gov>; Heywood Becker
<yalephd1970@gmail.com>
Subject: RE: Chem-Fab Site - CERCLA Lien Hearing

Regional Judicial Officer Lisa—

EPA does not object to the extension of time requested by Mr. Becker. We do request, however, that at the time Mr. Becker sends Turog's brief via email to your Honor in accordance with yesterday's email he also send it to me via email at:

Goldman.andrew@epa.gov

Thank you.

Andrew Goldman

ANDREW S. GOLDMAN (3RC10)

Sr. Assistant Regional Counsel

U.S. Environmental Protection Agency

1650 Arch Street

Philadelphia, PA 19103

(215) 814-2487

Goldman.andrew@epa.gov

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email and delete this email message from your computer.

From: Lisa, Joseph <Lisa.Joseph@epa.gov>
Sent: Monday, May 4, 2020 5:37 PM
To: Goldman, Andrew <Goldman.Andrew@epa.gov>
Cc: Esposito, Bevin <Esposito.Bevin@epa.gov>
Subject: Fwd: Chem-Fab Site - CERCLA Lien Hearing

Mr Becker

I am forwarding your request to Mr Goldman

Please make certain that he is copied on all future communications to my office

Mr Goldman - please provide EPA's position concerning Mr Becker's request.

In order for me to make a timely ruling given the pending submission date I would request that EPA submit its response to my office by 2:00 pm EST tomorrow Tuesday May 5, 2020.

Thank you

Joseph Lisa

Sent from my iPhone

Begin forwarded message:

From: Heywood Becker <yalephd1970@gmail.com>
Date: May 4, 2020 at 5:06:45 PM EDT
To: "Lisa, Joseph" <Lisa.Joseph@epa.gov>
Subject: Re: Chem-Fab Site - CERCLA Lien Hearing

Given the circumstances, and in light of the non-emergent nature of the issue, I respectfully request an extension of time of 30 days to file my brief.



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On Mon, May 4, 2020 at 4:37 PM Lisa, Joseph
<Lisa.Joseph@epa.gov> wrote:

Dear Mr. Becker and Mr. Goldman

I hope that you and your families are well and staying safe.

As you are aware, the EPA Region III Office is currently closed due to the COVID epidemic.

My previous Order dated Feb. 27, 2020 requested that Turog submit a brief and supporting materials concerning the lien hearing matter by 5:00 pm May 8, 2020, and that EPA provide its written response and supporting materials by 5:00 pm EST, June 5, 2020.

I am requesting that the parties' briefs and supporting materials be submitted **by email** given the current status of matters.

Please email your materials to: myself (the RJO and designated neutral for this matter); the EPA Region 3 Regional Hearing Clerk, Ms. Bevin Esposito at Esposito.bevin@epa.gov; and the respective opposing party/counsel.

If you believe that the size of your files to be emailed may create an issue, please contact Ms. Esposito so that you can discuss options for the submission of your materials (e.g., compressing your electronic files, submission of multiple emails, etc.)

Additionally, if the closure of federal and state government offices has created an issue concerning your preparation for this lien hearing matter, please feel free to contact my office. As always, please make certain that Ms. Esposito and opposing counsel are copied on any contacts you make with my office.

I will continue to monitor developments concerning the re-opening of the Region 3 offices. I previously scheduled the lien hearing in this matter for Wednesday, June 24, 2020. I will make a decision at a later date as to whether such a hearing will be possible on that date and the appropriate forum for such a hearing (e.g, by phone or in person).

Thank you for your attention to this matter and please stay well.

Joseph J. Lisa

Joseph J. Lisa

Regional Judicial Officer/Presiding Officer

U.S. Environmental Protection Agency – Region III

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Lisa.joseph@epa.gov

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