From: Jensen, LeAnn
To: Smart, Mark
Cc: Santiago, Wanda
Subject: ACM Group, Inc. - Docket No. TSCA-01-2019-0061
Date: Monday, December 9, 2019 2:22:22 PM
Attachments: STANDING ORDER OALJ.docx

Mark –

Please file this correspondence in the file for EPA docket number TSCA-01-2019-0061.

Thanks,

LeAnn
8-1072

From: Jensen, LeAnn
Sent: Wednesday, November 13, 2019 6:56 PM
To: robert@acmdemogroup.com; Wagner, Michael <wagner.michael@epa.gov>
Cc: Santiago, Wanda <Santiago.Wanda@epa.gov>
Subject: 99 Gates Street Portsmouth, NH - Docket No. TSCA-01-2019-0061

Mr. Lavallee and Mr. Wagner –

I am in receipt of respondent's letter of extension request, dated October 29, 2019. Please be advised that this matter is governed by the Consolidated Rules of Practice (CROP) found at 40 C.F.R. Part 22. Under the CROP, the parties must submit motions, including motions for extensions of time to file answers, in accordance with 40 C.F.R. § 22.5. In particular, this regulation states that the original and one copy of each document shall be filed with the appropriate Regional Hearing Clerk (i.e., Wanda Santiago), with a copy to the Presiding Officer. 40 C.F.R. §§ 22.5(a)(1)&(b). Until the answer is filed, I am the Presiding Officer for this matter. A certificate of service must accompany each document filed or served in the proceeding. 40 C.F.R. § 22.5(a)(3).

In addition, the motion must conform with the requirements of 40 C.F.R. §§ 22.5(c) and 22.16. In particular, respondent must state the grounds that support this motion, i.e., respondent must explain why it seeks this extension and how this extension will serve the interests of justice, and set forth the relief sought with particularity, i.e., respondent must describe the length of time sought to extend the deadline to file an answer. 40 C.F.R. § 22.16(a). Also, note that respondent should indicate whether complainant concurs with this extension of time. Absent this assurance, complainant is allowed 15 days to respond to respondent's motion. 40 C.F.R. § 22.16(b).

Kindly serve this document in accordance with 40 C.F.R. §§ 22.5(b)(2), which states that the document may be served by hand, by first class mail, or a by reliable commercial delivery service. In addition, I have attached the Region 1 Standing Order authorizing electronic service of certain documents. If respondent chooses to serve this document electronically, the procedures described

in the Standing Order must be followed.

Thank you for your time and attention to this matter. Ms. Santiago, please file this correspondence in the file for EPA docket number TSCA-01-2019-0061.

LeAnn Jensen
Regional Judicial Officer, Region 1