

MASANO ♦ BRADLEY

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June 15, 2015

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2015 JUN 19 PM 3:05
REGIONAL HEARING CLERK
EPA REGION III, PHIL. A. PA.

Regional Hearing Clerk (3RC00)
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103

Re: In the Matter of: Eagle Brass Company
Docket No. EPCRA-III-2015-0127

Dear Clerk:

I am writing this letter pursuant to and consistent with a complaint that has been received in the above-referenced matter. The specific purpose of this letter is to request a hearing on the complaint. I would note that the notice provisions of the complaint are internally inconsistent and potentially confusing to a respondent. Specifically, on page 10 of the complaint it states:

Respondent may request, within 20 days of receipt of this Complaint, a hearing before an EPA Administrative Law Judge on the Complaint. At such hearing, Respondent may contest any material fact and the appropriateness of any penalty amount. To request a hearing, Respondent must file a written answer (“Answer”) within thirty (30) days of receipt of this Complaint.

As you can see, the notice contains conflicting information. On the one hand, it states that a request for hearing must be made within twenty (20) days and on the other hand, it states that it must be made within thirty (30) days.

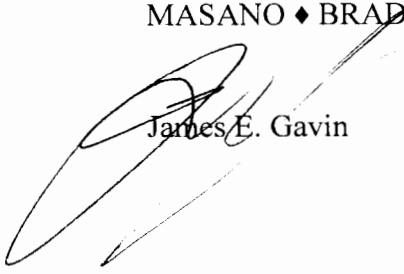
For the purposes of protecting my client’s rights, please consider this letter a request for a hearing. We will be filing an answer to the complaint within the time provided by the notice.

If you have any questions, please feel free to contact me.

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Very truly yours,

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James E. Gavin

JEG/jab

cc: Charles Bernard
Joyce A. Howell, Esquire

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