



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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

ORDER ON COMPLAINANT'S MOTION TO RESCHEDULE TO DECEMBER 10, 2012 THE DEADLINE TO FILE ITS REPLY TO RESPONDENT'S POST HEARING BRIEF

On August 14, 2012, the undersigned ordered Respondent to file her Post Hearing Brief on or before November 15, 2012, and Complainant to file its Reply to Respondent's Post Hearing Brief on or before November 30, 2012. Respondent served her Post Hearing Brief on the undersigned on November 12, 2012, but did not serve copies of the Post Hearing Brief on Complainant or the Regional Hearing Clerk. On November 26, 2012, Complainant's counsel sent the undersigned's staff attorney an e-mail to notify the undersigned's office that Complainant had not yet received Respondent's Post Hearing Brief. The undersigned's office immediately provided Complainant's counsel and the Regional Hearing clerk with courtesy electronic copies of Respondent's Post Hearing Brief. On November 27, 2012, Complainant filed its Motion to Reschedule to December 10, 2012 the Deadline to File Its Reply to Respondent's Post Hearing Brief ("Motion"). In the Motion, Complainant requests that the deadline for filing its Reply to Respondent's Post Hearing Brief be extended to December 10, 2012, to accommodate its late receipt of Respondent's Post Hearing Brief. Mot. at 1.

Section 22.7(b) of the Rules of Practice provides that the Presiding Officer may grant a motion requesting an extension of time for filing any document for good cause shown and after consideration of prejudice to the other parties. 40 C.F.R. § 22.7(b). There is good cause to grant the requested extension, and the ten-day extension and will not cause Respondent undue prejudice under the circumstances.

The Motion is **GRANTED**. Complainant shall file its Reply to Respondent's Post Hearing Brief on or before December 10, 2012.

Lisa Buschmann

M. Lisa Buschmann
Administrative Law Judge

Dated: November 28, 2012
Washington, DC

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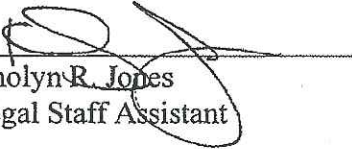
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In the Matter of *Ms. Dessie L. Brumfield*, Respondent.
Docket No. TSCA-05-2010-0014

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Complainant's Motion to Reschedule to December 10, 2012 the Deadline to File its Reply to Respondent's Post Hearing Brief**, dated November 28, 2012, was sent this day in the following manner to the addressees listed below.


Knolyn R. Jones
Legal Staff Assistant

Original and One Copy by Regular Mail to:

LaDawn Whitehead
Regional Hearing Clerk
U.S. EPA, Region V, MC-E-19J
77 West Jackson Blvd.,
Chicago, IL 60604-3590

One Copy by Regular Mail to:

Jeffrey M. Trevino, Esq.
Associate Regional Counsel
ORC, U.S. EPA, Region V
77 West Jackson Blvd.
Chicago, IL 60604-3590

One Copy by Regular Mail to:

Ms. Dessie L. Brumfield
5067 N. 37th Street
Milwaukee, WI 53290

Dated: November 28, 2012
Washington, D.C.