



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)
)
Taotao USA, Inc.,) **Docket No. CAA-HQ-2015-8065**
Taotao Group Co., Ltd., and)
Jinyun County Xiangyuan Industry)
Co., Ltd.)
)
Respondents.)

ORDER ON MOTION FOR LEAVE FOR FILING POST HEARING BRIEF

Deadlines for filing initial post-hearing briefs in this matter were scheduled for December 15, 2017. *See* Post-Hearing Scheduling Order (Nov. 1, 2017). At Respondents’ request, and with the Agency’s agreement, that deadline was extended to December 22, 2017. *See* Order on Motion to Extend Post-Hearing Brief Deadlines (Dec. 14, 2017).

Despite receiving an extension of time, Respondents failed to file their initial post-hearing brief until December 23, 2017. *See* Respondents’ Initial Post-Hearing Brief. On December 26, 2017, Respondents’ moved for permission to file their brief late, claiming they had technical difficulties with this Tribunal’s E-Filing System. *See* Motion for Leave for Filing Post Hearing Brief (“Motion”). In their Motion, Respondents further ask to submit a revised copy of their initial post-hearing brief, because their original submission exceeds the page limit that was *twice* set by this Tribunal. Mot at 2; *see also* Order on Motion to Extend Post-Hearing Brief Deadlines at 1 (“The Initial Post-Hearing Brief shall be no longer than 20 pages . . . This Tribunal will not consider any pages that exceed the ordered page limit.”); Post-Hearing Scheduling Order (Nov. 1, 2017) (same).

The Agency filed a response to Respondents’ Motion on January 4, 2018. *See* Complainant’s Response to Respondents’ Motion for Leave for Filing Post Hearing Brief (“Response”). The Agency “objects to Respondents’ continued failure in this Proceeding to follow specific directions and requirements provided in the Consolidated Rules and the Presiding Officer’s Orders,” and expressed concern “that Respondent’s long-standing pattern of failure to follow established procedures and rules will continue in this Proceeding if left unchecked.” *See* Response at 1. Respondents submitted a reply brief to the Agency’s Response on January 5, 2018. *See* Reply in Support of Motion for Leave for Filing Post Hearing Brief.

Respondents’ excuse for not filing their initial post-hearing brief on time is tenuous at best, and the Agency’s objections are not entirely unfounded. However, providing Respondents the benefit of the doubt, this Tribunal will accept into the record as their initial post-hearing brief the revised version submitted as Exhibit B to their Motion filed December 26, 2017.

Notwithstanding this ruling, Respondents are admonished to strictly adhere to the Orders of this Tribunal.

Consequently, Respondents' Motion for Leave for Filing Post Hearing Brief is **GRANTED.**

SO ORDERED.



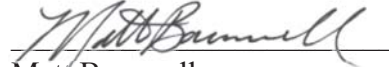
Susan L. Biro
Chief Administrative Law Judge

Dated: January 10, 2018
Washington, D.C.

In the Matter of *Taotao USA, Inc., Taotao Group Co., Ltd., and Jinyun County Xiangyuan Industry Co., Ltd.*, Respondents. Docket No. CAA-HQ-2015-8065

CERTIFICATE OF SERVICE

I certify the foregoing **Order on Motion for Leave for Filing Post Hearing Brief**, dated January 10, 2018, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.


Matt Barnwell
Attorney Advisor

Original by Hand Delivery To:

Mary Angeles
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Room M1200
1300 Pennsylvania Avenue, N.W.
Washington, DC 20004

Copies by E-Mail To:

Edward Kulschinsky, Esq.
U.S. EPA, Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
1200 Pennsylvania Ave., NW
William J. Clinton Federal Building
Room 1142C, Mail Code 2242A
Washington, DC 20460
Email: kulschinsky.edward@epa.gov
Attorney for Complainant

Robert G. Klepp, Esq.
U.S. EPA, Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
1200 Pennsylvania Ave., NW
Room 1111A, Mail Code 2242A
Washington, DC 20460
Email: klepp.robert@epa.gov
Attorney for Complainant

Mark J. Palermo, Esq.
U.S. EPA, Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
1200 Pennsylvania Ave., NW
Room 3319C, Mail Code 2242A
Washington, DC 20460
Email: palermo.mark@epa.gov
Attorney for Complainant

William Chu, Esq.
Salina Tariq, Esq.
The Law Office of William Chu
4455 LBJ Freeway, Suite 909
Dallas, TX 75244
Email: wmchulaw@aol.com
Email: stariq.wmchulaw@gmail.com
Attorneys for Respondents

Dated: January 10, 2018
Washington, D.C.