



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Eagle Brass Company,) Docket No. EPCRA-03-2015-0127
)
Respondent.)

NOTICE OF HEARING ORDER

On August 27, 2015, I issued a Prehearing Order directing the parties to file and serve prehearing exchanges. Consistent therewith, Complainant submitted an Initial Prehearing Exchange on October 6, 2015, and a Rebuttal Prehearing Exchange on November 5, 2015. Likewise, Respondent submitted its Prehearing Exchange on October 30, 2015. Complainant filed a Motion for Accelerated Decision as to Liability and to Strike Affirmative Defenses on September 2, 2015, which I ruled on by Order issued on December 21, 2016. No additional motions are pending. Therefore, this matter is ready to be scheduled for hearing.

Pursuant to the procedural rules governing this proceeding, set forth at 40 C.F.R. Part 22, I am responsible for scheduling the hearing and determining an appropriate location for the hearing, consistent with 40 C.F.R. §§ 22.21 and 22.19(d). I am also responsible for regulating the course of the hearing consistent with 40 C.F.R. § 22.4. Accordingly, prehearing filing deadlines and the hearing in this matter are scheduled as follows.

Settlement Status Reports. Complainant is directed to file two Status Reports as to the status of any settlement negotiations between the parties, *which shall not include any specific terms of settlement*. The first Status Report shall be filed on or before **January 6, 2017**, and the second Status Report shall be filed on or before **February 3, 2017**.

Joint Stipulations. On or before **February 10, 2017**, the parties shall file a Joint Set of Stipulated Facts, Exhibits, and Testimony. The time allotted for the hearing is limited. Therefore, the parties must make a good faith effort to stipulate as much as possible to matters that cannot reasonably be contested so that the hearing can be concise and focused solely on those matters that can only be resolved after an evidentiary hearing.

Prehearing Conference. A prehearing conference will be scheduled in advance of the hearing and conducted by a staff attorney.

Prehearing Briefs. The parties may, if they wish, file prehearing briefs on or before **February 17, 2017**. If filed, Complainant's brief should specifically state each count of the Complaint and each claim therein that will be tried at the hearing and indicate which counts and

claims will not. If filed, Respondent's brief should identify each of the defenses Respondent intends to pursue at the hearing.

Hearing. The hearing in this matter shall begin promptly at **9:00 a.m.** on **Tuesday, March 7, 2017**, and shall continue as necessary through **Friday, March 10, 2017**, in Philadelphia, Pennsylvania. The parties will be timely notified of the precise location, and corresponding address, of the hearing once sufficient space has been reserved by the Office of Administrative Law Judges.

Individuals requiring special accommodations at the hearing, including wheelchair access and translation services, must contact Mary Angeles, Headquarters Hearing Clerk, at (202) 564-6281, no later than 30 days prior to the scheduled hearing, so that appropriate arrangements can be made. A staff attorney for the undersigned, Andrea Priest, can be contacted at (202) 564-4914 or priest.andrea@epa.gov, should you have any procedural questions or questions about what to expect at the hearing.

RESPONDENT IS ADVISED THAT FAILURE TO APPEAR AT THE HEARING, WITHOUT GOOD CAUSE HAVING BEEN SHOWN, MAY RESULT IN THE ENTRANCE OF DEFAULT JUDGMENT AGAINST IT.

IF EITHER PARTY DOES NOT INTEND TO ATTEND THE HEARING, OR HAS GOOD CAUSE FOR NOT BEING ABLE TO ATTEND THE HEARING AS SCHEDULED, IT SHALL NOTIFY THE UNDERSIGNED AT THE EARLIEST POSSIBLE MOMENT.



Christine Donelian Coughlin
Administrative Law Judge

Date: December 21, 2016
Washington, D.C.

In the Matter of *Eagle Brass Company*, Respondent.
Docket No. EPCRA-03-2015-0127

Certificate of Service

I hereby certify that the forgoing Notice of Hearing Order, dated December 21, 2016, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.



Andrea Priest
Attorney Advisor

Original and One Copy by Hand Delivery

Mary Angeles
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Ave., NW
Washington, DC 20004

Copy by Electronic and Regular Mail to:

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Senior Assistant Regional Counsel
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Dated: December 21, 2016
Washington, D.C.