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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF ARSENAL ASSOCIATES 725 Respondent))))))	Docket No. 5-TSCA-III-
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ORDER DENYING CONTINUANCE

Respondent, Arsenal Associates, filed a motion seeking a sixty day continuance from the hearing in this matter which is scheduled to commence March 2, 1998⁽¹⁾. Complainant, Environmental Protection Agency ("EPA"), has filed an opposition to the motion.

Having considered the parties' submissions, including the Respondent's February 6, 1998, reply to EPA's opposition, the Respondent's motion is DENIED. The hearing will commence as scheduled.

In deference to Mr. Hankin's well-being, the parties are advised that heightened decorum will be observed during the proceeding. Objections, colloquies between counsel, and examination of witnesses will all be conducted most civilly without raised voices or theatrics. In addition, I will permit Respondent to name additional witnesses who will testify in place of Mr. Hankin's subjects. Respondent must identify such witnesses to Complainant EPA, by facsimile not later than February 20, 1998, and by mailing on the same date. Consistent with the prehearing order, Respondent must include with the name of such additional witnesses "a brief narrative summary of their expected testimony."

SO ORDERED.

William B. Moran
Administrative Law Judge

Dated: February 9, 1998
Washington, D.C.

1. Several documents from Respondent refer to the hearing beginning on March 3, 1998. That is incorrect. The hearing is scheduled to commence on March 2, 1998.

IN THE MATTER OF ARSENAL ASSOCIATES, Respondent

Docket No. TSCA-III-725

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Denying Continuance** dated February 9, 1998, was sent in the following manner to the addressees listed below:

Original by Pouch Mail and Facsimile to:

Lydia A. Guy
Regional Hearing Clerk
U.S. EPA, Region 3
841 Chestnut Building
Philadelphia, Pennsylvania 19107

Copy by Regular Mail and Facsimile to:

Counsel for Complainant:
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One Liberty Place, 21st Floor
Philadelphia, Pennsylvania 19103

Elaine Malcolm
Legal Assistant

Dated: February 9, 1998
Washington, DC 20460

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