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Attorneys for Respondent New Prime, Inc.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

IN THE MATTER OF:	)	
	)	Docket No. RCRA-08-2020-0007
New Prime, Inc.	)	
	)	
Respondent.	)	<b>RESPONDENT'S PRELIMINARY</b>
	)	<b>STATEMENT</b>
_____	)	

Pursuant to the Presiding Officer's Order dated November 2, 2020, Respondent New Prime, Inc., through its attorneys, Mark Ryan of Ryan & Kuehler PLLC and Scott McKay of Nevin, Benjamin, McKay & Bartlett LLP, submits the following preliminary statement.

1. Respondent prefers the location of the hearing to be in Springfield, Missouri, which is where Respondent's corporate headquarters is located and where most of Respondent's witnesses reside. A federal courthouse is located in Springfield.

2. Respondent consents to service solely by email to Mark Ryan at

[mr@ryankuehler.com](mailto:mr@ryankuehler.com) and Scott McKay at smckay@nbmlaw.com.

DATED this 27th day of November, 2020.

RYAN & KUEHLER PLLC

A handwritten signature in black ink, appearing to read 'Mark A. Ryan', is written over a horizontal line.

Mark A. Ryan

Scott McKay

NEVIN, BENJAMIN, McKAY & BARTLETT LLP

Attorneys for Respondent New Prime, Inc.

## CERTIFICATE OF SERVICE

I hereby certify that on the 27<sup>th</sup> day of November, 2020, I filed Respondent's Preliminary Statement via the OALJ E-filing system and via email to:

Laurianne M. Jackson  
Senior Assistant Regional Counsel  
Regulatory Enforcement Section  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129  
[Jackson.laurianne@epa.gov](mailto:Jackson.laurianne@epa.gov)

A handwritten signature in black ink, appearing to read 'MR', with a long horizontal line extending to the right.

Mark Ryan