

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105**

In the Matter of:)
)
Borla Performance Industries, Inc.,)
) Docket No. CAA-R9-2020-0044
Respondent.)
_____)

RESPONDENT’S PRELIMINARY STATEMENT

Respondent Borla Performance Industries, Inc. ("Borla") hereby submits this Preliminary Statement in accordance with the Prehearing Order dated October 19, 2020.

Preference for Location of Hearing. EPA Rules of Practice provide that the hearing will be "held in the county where the respondent resides or conducts the business which the hearing concerns, in the city in which the relevant Environmental Protection Agency Regional Office is located, or in Washington, DC, unless the Presiding Officer determines that there is good cause to hold it at another location or by telephone." 40 CFR §§ 22.19(d), 22.21(d). Borla’s preference is that the hearing be held in Washington County, Tennessee, which is the location of Borla’s headquarters and manufacturing facility in Johnson City, Tennessee, and will be most convenient to its anticipated witnesses.

Dated: November 13, 2020

Respectfully submitted,



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COUNSEL FOR RESPONDENT

CERTIFICATE OF SERVICE

I, Kent Mayo, hereby certify that on this 13th day of November 2020, I have served a true and correct copy of the Respondent's Preliminary Statement as set forth below:

Copy by OALJ Electronic Filing System to:

Mary Angeles, Headquarters Hearing Clerk
United States Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Avenue, NW
Washington, DC 20004

Copy by Electronic Mail to:

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