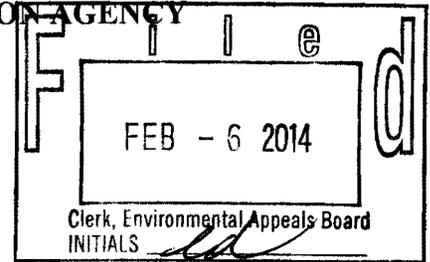


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)
))
Ms. Dessie L. Brumfield)
d/b/a/ Brumfield Properties, LLC,)
))
Docket No. TSCA-05-2010-0014)
_____))

TSCA Appeal No. 13-(04)

**SECOND ORDER EXTENDING TIME TO FILE NOTICE OF APPEAL
AND SUPPORTING BRIEF**

By motion filed on February 5, 2014, U.S. EPA Region 5 (“Region”) seeks an additional fourteen (14) days to file a notice of appeal and supporting brief from an Initial Decision issued on December 4, 2014, by Administrative Law Judge M. Lisa Buschmann. Motion for 14-Day Extension of Time to File Notice of Appeal and Appellate Brief (“Motion”). In support of its Motion, the Region states:

Per a recent request to the Region from EPA Headquarters, Complainant seeks additional time in order to further coordinate with other offices of EPA due to the nationally significant issues associated with an appeal of the subject decision and in order to present a unified legal position on behalf of the Agency.

Motion at 2. The Board previously granted the Region’s motion for a thirty-day extension of time to file its appeal and supporting brief until February 7, 2014, based, in part, on the Region’s expressed need to coordinate with other EPA offices. *See* Order Granting Motion for Extension of Time (Dec. 20, 2013). The Region now seeks an additional extension based on this same rationale.

The Region states that it has been unable to contact Ms. Brumfield to determine her agreement or opposition to the Motion. Motion at 2. In particular, the Region states that Ms.

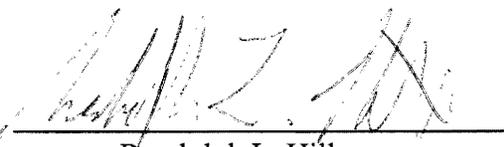
Brumfield's last two known telephone numbers are no longer in service and she has not responded to the Region's attempts to contact her by e-mail. *Id.*

Upon consideration, the Region's motion for an extension of time to file its notice of appeal and supporting brief is GRANTED. The notice of appeal and brief must now be filed with the Board no later than February 21, 2014, and Ms. Brumfield's response brief (and, if appropriate, notice of appeal) is due within twenty days of service of the Region's appeal. 40 C.F.R. § 22.30(a). Absent extraordinary circumstances, no further extensions will be granted.

So ordered.

Dated: February 6, 2014

ENVIRONMENTAL APPEALS BOARD

By: 

Randolph L. Hill

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Second Order Granting Extension of Time File Notice of Appeal and Supporting Brief in *In re Ms. Dessie L. Brumfield, d/b/a/ Brumfield Properties, LLC*, TSCA Appeal No. 13-(04), were sent to the following persons in the manner indicated:

By First Class Mail:

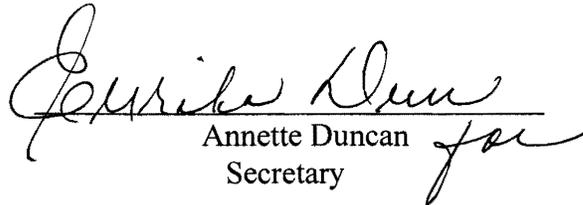
Dessie L. Brumfield
5067 North 37th Street
Milwaukee, WI 53290

By EPA Pouch Mail:

Jeffrey M. Trevino
Office of Regional Counsel
U.S. EPA Region 5 (C-14)
77 West Jackson Boulevard
Chicago, IL 60604-3590

Dated:

2/6/2014


Annette Duncan
Secretary