



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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ENVIR. APPEALS BOARD

REPLY TO THE ATTENTION OF:

(C-14J)

February 5, 2014

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, N.W.
WJC East Building, Room 3334
Washington, D.C. 20004

Re: In the Matter of: Ms. Dessie L. Brumfield d/b/a/ Brumfield Properties, LLC
Docket No. TSCA-05-2010-0014

Dear Clerk of the Board:

Please find enclosed and served upon you for filing Complaint's Motion for 14-Day Extension of Time to File Notice of Appeal and Appellate Brief for this civil administrative action.

Sincerely,

Jeffery M. Trevino
Associate Regional Counsel

Enclosure

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

LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency
77 West Jackson Boulevard (E-19J)
Chicago, IL 60604-3590

M. Lisa Buschmann
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Ronald Reagan Building, Room M1200
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
U.S. ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In the Matter of:)
)
Ms. Dessie L. Brumfield,)
d/b/a Brumfield Properties, LLC,) TSCA Appeal No. 13-(04)
)
Docket No. TSCA-05-2010-0014,)
)
Respondent.)

**MOTION FOR 14-DAY EXTENSION OF TIME TO FILE
NOTICE OF APPEAL AND APPELLATE BRIEF**

The Complainant for this civil administrative action, Region 5 of the U.S. Environmental Protection Agency (EPA or the Agency), by and through its attorney, respectfully requests the Environmental Appeals Board (“the Board”) grant it an additional fourteen (14) days, from the current deadline of February 7, 2014, to the proposed deadline of February 21, 2014, to file with the Board its Notice of Appeal and Appellate Brief, for this civil administrative action, and due to the following facts:

1. On December 4, 2013, the Presiding Officer issued to the parties her Initial Decision in this action, resulting in a January 2, 2014 deadline for the parties to file with the Board an appeal of the Initial Decision.
2. On December 20, 2103, the Board granted the Region’s motion for an extension of time to file its notice of appeal, resulting in a February 7, 2104 deadline for the parties to file with the Board an appeal of the Initial Decision.

3. 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.
4. Complainant argues that this short extension of time will not prejudice the Respondent.
5. Complainant attempted to contact Respondent to determine her agreement or opposition to this Motion. However, her last two known telephone numbers are no longer in service and she has not yet responded to Complainant's attempts to contact her via e-mail.

WHEREFORE, Complainant respectfully requests the Board grant it an additional fourteen (14) days, from the current deadline of February 7, 2014, to the proposed deadline of February 21, 2014, to file with the Board its Notice of Appeal and Appellate Brief for this civil administrative action.


Jeffery M. Trevino
Associate Regional Counsel
Region 5
U.S. Environmental Protection Agency
77 West Jackson Boulevard (C-14J)
Chicago, IL 60604
(312) 886-6729
Trevino.jeffery@epa.gov

Of Counsel: MORGAN E. ROG
Office of Civil Enforcement

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the attached **MOTION FOR 14-DAY EXTENSION OF TIME TO FILE NOTICE OF APPEAL AND APPELLATE BRIEF** in the matter **MS. DESSIE L. BRUMFIELD D/B/A BRUMFIELD PROPERTIES, LLC; DOCKET NO. TSCA-05-2010-0014, TSCA Appeal No. 13-(04)**, was hand delivered to the Board at the following address:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East, Room 3334
Washington, DC 20004

Further, I hereby certify that one copy of the attached **MOTION FOR 14-DAY EXTENSION OF TIME TO FILE NOTICE OF APPEAL AND APPELLATE BRIEF** in the matter **MS. DESSIE L. BRUMFIELD D/B/A BRUMFIELD PROPERTIES, LLC; DOCKET NO. TSCA-05-2010-0014, TSCA Appeal No. 13-(04)**, was sent to the Respondent via U.S. Mail to the following address:

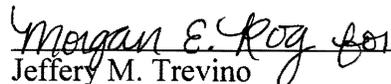
Dessie L. Brumfield
5067 North 37th Street
Milwaukee, WI 53290

Further, I hereby certify that one copy of the attached **MOTION FOR 14-DAY EXTENSION OF TIME TO FILE NOTICE OF APPEAL AND APPELLATE BRIEF** in the matter **MS. DESSIE L. BRUMFIELD D/B/A BRUMFIELD PROPERTIES, LLC; DOCKET NO. TSCA-05-2010-0014, TSCA Appeal No. 13-(04)**, was sent to the Regional Hearing Clerk via U.S. Mail at the following address:

U.S. EPA, Region 5
Regional Hearing Clerk
Office of Regional Hearing Clerk
Attention: La Dawn Whitehead
77 W. Jackson Blvd., 19th Floor
Chicago, IL 60604-3590

Further, I hereby certify that one copy of the attached **MOTION FOR 14-DAY EXTENSION OF TIME TO FILE NOTICE OF APPEAL AND APPELLATE BRIEF** in the matter **MS. DESSIE L. BRUMFIELD D/B/A BRUMFIELD PROPERTIES, LLC; DOCKET NO. TSCA-05-2010-0014, TSCA Appeal No. 13-(04)**, was sent to the Presiding Officer via U.S. Mail at the following address:

M. Lisa Buschmann
Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Avenue N.W.
Washington, D.C. 20460



Jeffery M. Trevino
Associate Regional Counsel

2.5.2014

Date