



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Elementis Chromium, Inc.,) Docket No. TSCA-HQ-2010-5022
f/k/a Elementis Chromium, L.P.,)
)
Respondent.)

NOTICE OF HEARING AND SCHEDULING ORDER

A Prehearing Order was issued in this matter on April 28, 2011. Complainant's Initial Prehearing Exchange was filed on June 10, 2011, Respondent's Prehearing Exchange was filed on July 1, 2011, and Complainant's Rebuttal Prehearing Exchange was filed on July 15, 2011. The undersigned issued an Order on Complainant's Motion for Accelerated Decision and Respondent's Request for Oral Argument on August 8, 2011, resolving all pending motions.

Therefore, this matter may be scheduled for hearing. In their Prehearing Exchanges, both parties agree that Washington, D.C., is an appropriate place to hold the hearing. In response to an Order to Submit Status Report issued August 12, 2011, Complainant filed a Status Report on August 18, 2011, stating that Complainant estimates it will require four days to present its direct case, and Respondent estimates it will require two days to present its case.

Complainant shall file Status Reports as to any settlement discussions between the parties, which shall not include any specific terms of settlement, by **September 16, 2011**, and by **October 7, 2011**.

All non-dispositive prehearing motions, such as motions for subpoenas, motions to supplement a prehearing exchange and motions in limine, must be filed on or before **October 14, 2011**.

On or before **November 10, 2011**, the parties shall file a Joint Set of Stipulated Facts, Exhibits and Testimony. The time allotted for the hearing is limited. Therefore, the parties must make a good faith effort to stipulate as much as possible to matters which cannot reasonably be contested so that the hearing can be concise and focused solely on those matters that can only be resolved after a hearing.

The parties may, if they wish, file prehearing briefs by **November 18, 2011**. A copy of the briefs should be faxed and/or hand-delivered to the undersigned by that date. If filed, Complainant's brief should specifically state each count of the Complaint and each claim therein that will be tried at the hearing and indicate which counts and claims will not. If filed, Respondent's brief should identify each of the defenses Respondent intends to pursue at the hearing.

The hearing in this matter shall begin promptly at 9:30 a.m. EST on **Monday, December 12, 2011**, and shall continue if necessary through December 20, 2011, at the following location:

**Administrative Courtroom
U.S. Environmental Protection Agency
EPA East Building, Room 1152
1201 Constitution Avenue, N.W.
Washington, D.C. 20004**

Individuals requiring special accommodations at the hearing, including wheelchair access, should contact the Headquarters Hearing Clerk, Sybil Anderson, (202) 564-6261, as soon as possible so that appropriate arrangements can be made.

RESPONDENT IS ADVISED THAT FAILURE TO APPEAR AT THE HEARING, WITHOUT GOOD CAUSE HAVING BEEN SHOWN, MAY RESULT IN THE ENTRANCE OF DEFAULT JUDGMENT AGAINST IT.

IF EITHER PARTY DOES NOT INTEND TO ATTEND THE HEARING, OR HAS GOOD CAUSE FOR NOT BEING ABLE TO ATTEND THE HEARING AS SCHEDULED, IT SHALL NOTIFY THE UNDERSIGNED AT THE EARLIEST POSSIBLE MOMENT.



Susan L. Biro
Chief Administrative Law Judge

Date: August 22, 2011
Washington, D.C.

In The Matter of Elementis Chromium, Inc. f/k/a Elementis Chromium, L.P. TSCA-HQ-2010-5022

CERTIFICATE OF SERVICE

I certify that the foregoing **Notice of Hearing and Scheduling Order**, dated August 22, 2011 following manner to the addresses listed below.


Sybil Anderson
Headquarters Hearing Clerk

Dated: **August 22, 2011**

Copy By Regular Mail And Email to

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