

IN THE MATTER OF:)
)
)
 BASF Catalysts LLC)
)
) EPCRA-04-2009-2001
 Respondent.)
_____)

RESPONDENT'S POSITION REGARDING HEARING

During a conference call today, Judge Moran instructed the parties to confer and determine whether a hearing is necessary or whether the matter could be determined via briefing. The parties have conferred and agree that the matter should be set for a hearing.

Respondent is available the week of June 22, 2009 and agrees that the hearing can be held in Atlanta.

Dated: May 11, 2009

Respectfully submitted,

By: *Nancy Lake Martin*
Nancy Lake Martin
Senior Counsel
BASF Catalysts LLC
100 Campus Drive
Florham Park, NJ 07932
(973) 245-6055
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I also certify that, on the date indicated below, I sent by facsimile, a copy of Respondent's Position Regarding Hearing, to the following addressee:

Judge William B. Moran
U.S. Environmental Protection Agency
Office of Administrative Law Judges
(202) 565-0044

I also certify that, on the date indicated below, I sent by electronic mail, a copy of Respondent's Position Regarding Hearing, to the following addressee:

Mr. Adam Dilts
Assistant Regional Counsel
Dilts.Adam@epamail.epa.gov

5-11-09
Date

Nancy Lake Martin
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