




UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
NEIL R. KENNEDY,) DOCKET NO. TSCA-05-2008-0016
)
)
RESPONDENT)

ORDER TO SHOW CAUSE

The file before me reflects that Complainant has failed to file its prehearing exchange on or before May 29, 2009, as required by the Administrative Law Judge's Prehearing Order dated April 2, 2009, and that Complainant has not filed a motion for an extension of the filing deadline.

Under Section 22.17(a) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. § 22.17(a), a party may be found to be in default upon failure to comply with the information exchange requirements of Section 22.19(a) of the Rules of Practice, 40 C.F.R. § 22.19(a), or an order of the Administrative Law Judge. Therefore, Complainant is ordered to show cause, if any, on or before **June 15, 2009**, why Complainant failed to meet the May 29, 2009, filing deadline and why a default order should not be entered for failing to meet this deadline.



Barbara A. Gunning
Administrative Law Judge

Dated: June 4, 2009
Washington, DC

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In the matter of *Neil R. Kennedy*, Respondent.
Docket No. TSCA-05-2008-0016

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order to Show Cause**, dated June 4, 2009, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

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Dated: June 4, 2009
Washington, D.C.