

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

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REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

In the Matter of Habeeba Shariff and  
M. Anwar Shariff

Respondents

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Docket No. TSCA-05-2008-0007

**Complainant's Second Supplemental Prehearing Exchange**

The United States Environmental Protection Agency, Region 5 ("Complainant" or "U.S. EPA"), in accordance with the Order dated November 21, 2008 ("Prehearing Order"), and Section 22.19(a) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R. § 22.19(a), respectfully submits the following Complainant's Second Supplemental Prehearing Exchange. **Information claimed confidential, as identified below in the list of exhibits, has been deleted and complete copies of the attached documents (exhibits) containing the information claimed confidential has been filed with the Regional Hearing Clerk.**

Exhibits to be Introduced into Evidence

Complainant's Exhibit 19: Letter from Habeeba Shariff to Estrella Calvo enclosing financial information

Complainant's Exhibit 20: Individual Ability to Pay Claim – Financial Data Request Form for Habeeba Shariff – Business Confidentiality Asserted (BCA) – Personal Privacy Information –

All the data submitted on the form is considered BCA and has been deleted.<sup>1</sup>

Complainant's Exhibit 21: Individual Tax Returns, form 1040, for the years 2005, 2006, and 2007 with schedule E for 2007 for Habeeba Shariff. Business Confidentiality Asserted (BCA) – Personal Privacy Information – All the data and social security numbers submitted on the tax returns are considered BCA and have been deleted.<sup>2</sup>

Complainant's Exhibit 22: Individual Ability to Pay Claim – Financial Data Request Form for M. Anwar Shariff – Business Confidentiality Asserted (BCA) – Personal Privacy Information – All the data submitted on the form is considered BCA and has been deleted.<sup>3</sup>

Complainant's Exhibit 23: Individual Tax Returns, form 1040, for the years 2005, 2006, and 2007 for M. Anwar Shariff. Business Confidentiality Asserted (BCA) – Personal Privacy Information – All the data and social security numbers submitted on the tax returns are considered BCA and have been deleted.<sup>4</sup>

Complainant's Exhibit 24: Inspection Notes of Estrella Calvo from inspection of July 26, 2005 for 3957 N. Ashland Avenue

Complainant's Exhibit 25: Testimony Experience: Christopher P. Weis PhD, DABT., USEPA Enforcement Investigations Center

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<sup>1</sup> The Respondent did not assert a claim for confidentiality when the information was submitted to EPA, however, EPA considers the information as personal privacy information and therefore asserts for this proceeding that the information is BCA.

<sup>2</sup> See Footnote 1

<sup>3</sup> See Footnote 1

<sup>4</sup> See Footnote 1

Complainant's Exhibit 26: Written Testimony, Childhood Exposure to Lead-Based Paint, Health Effects, and Abatement, with attached references, Christopher P. Weis, Ph.D., Diplomate, American Board of Toxicology

Complainant's Exhibit 27: Certified copy of Cook County Assessor's Office Parcel Mapping Application, Property Details, 3959 N. Ashland Ave, Chicago, PIN 14-20-100-001-0000, April 6, 2009

Complainant's Exhibit 28: Certified copy of Cook County Assessor's Office Property Search Results for 3959 N. Ashland Ave, PIN 14-20-100-001-0000, Chicago, April 6, 2009

Complainant's Exhibit 29: Certified copy of Cook County Assessor's Office Parcel Mapping, aerial view of building at corner of Irving Park Road and Ashland Avenue, Chicago, Illinois, April 6, 2009

Respectfully submitted,

U.S. Environmental Protection Agency



Michael R. Berman  
Associate Regional Counsel  
Office of Regional Counsel  
U.S. EPA Region 5  
77 W. Jackson Blvd. (C-14J)  
Chicago, Illinois 60604  
(312) 886-6837

In the Matter of *Habeeba Shariff, Chicago and/or Skokie, Illinois and M. Anwar Shariff, Chicago, Illinois and/or Eden Prairie, Minnesota*, Respondents.

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**CERTIFICATE OF SERVICE**

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

This is to certify that the original and one copy of the foregoing Complainant's Second Supplemental Prehearing Exchange, including certain exhibits where confidential information was deleted (redacted), and the original and one copy in a sealed envelope of the foregoing Complainant's Second Supplemental Prehearing Exchange with all the information claimed confidential included was filed on April 7, 2009 with the Regional Hearing Clerk (E-19J) U.S. EPA-Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that true and correct copies (as indicated below) were sent on the same day in the following manner to the addressees listed below.

Copy by Regular Mail (with exhibits with confidential information deleted) to:

Habeeba Shariff  
M. Anwar Shariff  
5145 W. Elm Street  
Skokie, IL 60077-2177  
(Respondent M. Anwar Shariff requested that documents sent to him be mailed to this Skokie address)

Copy by Certified Mail (with all the information claimed confidential included) to:

Habeeba Shariff  
M. Anwar Shariff  
5145 W. Elm Street  
Skokie, IL 60077-2177

Judge Barbara A. Gunning  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Copy by Pouch Mail (with exhibits with confidential information deleted) to:

Judge Barbara A. Gunning  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460



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