

IN THE MATTER OF:)	RESPONDENT'S REQUESTS TO
)	TO ADMIT
)	
BASF Catalysts LLC)	
)	EPCRA-04-2009-2001
Respondent.)	
_____)	

RESPONDENT'S REQUESTS TO ADMIT TO COMPLAINANT

Pursuant to the Consolidated Rules of Practice, 40 C.F.R. Part 22, Respondent requests that you serve the undersigned with a written answer either admitting or denying specifically the matters listed, or setting forth in detail the reasons why you cannot truthfully either admit or deny them.

1. Admit that the only document provided by Respondent during the inspection on April 10, 2007 that inspector White took with her upon leaving Respondent's facility was a single page titled "BASF Catalysts, LLC – Savannah, Title V Permit, Permit No.: 3295-051-0023-V-02-0, Part 1.0 Facility Description, Page 1 of 42."
2. Admit that after leaving Respondent's facility on April 10, 2007, inspector White did not generate any documents relating to her inspection of Respondent's facility other than her notes (2 pages) and the EPA Region 4 EPCRA Inspection Report (3 pages).
3. Admit that from April 11, 2007, the day after the inspection, until June 5, 2007, when Respondent made its disclosure pursuant to EPA's Audit Policy, EPA did not conduct any inspection activities for the purpose of determining Respondent's compliance with EPCRA.
4. Admit that neither inspector White nor any other employee of EPA gathered the information necessary to determine that Respondent was in violation of Section 313 of EPCRA.
5. Admit that the only Condition of the Audit Policy that Complainant claims Respondent did not satisfy is Condition D.4 Discovery and Disclosure Independent of Government or third-Party Plaintiff.

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Respondent's Requests to Admit

Dated: May 18, 2009

Respectfully submitted,

By: *Nancy Lake Martin*
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Respondent's Requests to Admit

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5/18/09

Date

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