



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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JAN 31 2012

BEFORE THE ADMINISTRATOR

REGIONAL HEARING CLERK USEPA REGION 5

In the Matter of:

Ms. Dessie L. Brumfield, d/b/a Brumfield Properties, LLC,

Respondent.

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Docket No. TSCA-05-2010-00014

ORDER TO SHOW CAUSE

By Prehearing Order dated November 18, 2011, Ms. Dessie L. Brumfield, d/b/a Brumfield Properties, LLC, ("Respondent") was ordered to file on or before January 20, 2012, either a prehearing exchange of information or a statement waiving her right to present direct and/or rebuttal evidence. To date, Respondent has not filed a prehearing exchange or a statement in compliance with the Prehearing Order.

Section 22.17(a) of the Rules of Practice provides that a party may be found in default for failing to comply with the Prehearing Order. 40 C.F.R. § 22.17(a). A default is "an admission of all facts alleged . . . and a waiver of [R]espondent's right to contest such factual allegations." Id. If Respondent is found in default, she may be held liable for the entire proposed penalty.

Respondent has not complied with the Prehearing Order. Therefore, Respondent is ordered to file a document on or before February 10, 2012, explaining why she had good cause for failing to comply with the Prehearing Order and why she should not be found in default.

[Handwritten signature]

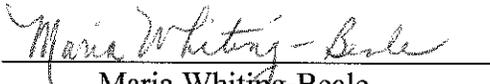
Susan L. Biro Chief Administrative Law Judge

Dated: January 26, 2012 Washington, D.C.

In the Matter of Ms. Dessie L. Brumfield d/b/a Brumfield Properties, LLC, Respondent
Docket No. TSCA-05-2010-0014

CERTIFICATE OF SERVICE

I certify that the foregoing **Order To Show Cause**, dated January 26, 2012, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: January 26, 2012

Original And One Copy By Regular Mail To:

La Dawn Whitehead
Regional Hearing Clerk
U.S. EPA
77 West Jackson Boulevard, E-19J
Chicago, IL 60604-3590

Copy By Regular Mail To:

Jeffrey M. Trevino, Esquire
Associate Regional Counsel
U.S. EPA
77 West Jackson Boulevard, C-14J
Chicago, IL 60604-3590

Copy By Certified Mail Return Receipt To:

Ms. Dessie Brumfield
5067 N. 37th Street
Milwaukee, WI 53209

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