BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:	
Belgrade Transformer Superfund Site 2818-2820 East Belgrade Street Philadelphia, PA 19134) EPA DOCKET NO.) CERCLA-03-2018-0110LL
	U.S. EPA-REGION 3-RHC FILED-11MAR2019pm5:28
) PROCEEDING UNDER SECTION
John F. Joyce, Jr.,) 107(I) OF THE COMPREHENSIVE
Owner) ENVIRONMENTAL RESPONSE,
) COMPENSATION, AND
) LIABILITY ACT OF 1980,
) AS AMENDED, 42 U.S.C. § 9607(1)
)

Status Report and Second Unopposed Motion for a Continuance of the Hearing on the United States' Superfund Lien

The U.S. Environmental Protection Agency ("EPA") respectfully files this Status Report and Second Unopposed Motion for a Continuance of the informal hearing concerning the United States' Superfund lien, which was perfected on real property owned by John F. Joyce, Jr. and located at 2818-20 East Belgrade Street in Philadelphia, Pennsylvania. This real property is also known as the Belgrade Transformer Site. EPA recently completed a Superfund removal action at the Site. The requested continuance will allow the parties additional time to negotiate a settlement of the United States' claims for response costs under Section 107(a)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9607(a)(1).

Mr. Joyce has expressed an interest in pursuing a settlement under EPA's Policy on Superfund Ability-to-Pay Determinations. To that end, EPA sent Mr. Joyce a request for financial information on October 23, 2018, under Section 104(e)(2) of CERCLA. Mr. Joyce

provided EPA with a partial response on March 1, 2019. An EPA financial analyst is currently reviewing and evaluating the information provided by Mr. Joyce. On the basis of this analysis, EPA may request additional information from Mr. Joyce and will ultimately make a settlement offer to him.

The parties propose a continuance of 90 additional days from the date of this Status

Report and Motion for a Continuance to allow EPA to complete its ability-to-pay analysis and to

provide the parties with time to negotiate a settlement based on EPA's ability-to-pay analysis.

Respectfully submitted,

Robert S. Hasson

Senior Assistant Regional Counsel

Date: March 11, 2019

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IN THE MATTER OF:)
Belgrade Transformer Superfund Site 2818-2820 East Belgrade Street Philadelphia, PA 19134) EPA DOCKET NO.) CERCLA-03-2018-0110LL) U.S. EPA-REGION 3-RHC) FILED-11MAR2019pm5:28
John F. Joyce, Jr., Owner)) PROCEEDING UNDER SECTION) 107(I) OF THE COMPREHENSIVE) ENVIRONMENTAL RESPONSE,) COMPENSATION, AND LIABILITY ACT OF 1980,) AS AMENDED, 42 U.S.C. § 9607(I)

CERTIFICATE OF SERVICE

I hereby certify that the attached <u>Status Report and Second Unopposed Motion for a Continuance</u> of the Hearing on the <u>United States' Superfund Lien</u> was served by Overnight Mail via U.P.S. (signature requested upon delivery), postage paid, and by email, on the following person:

Richard C. DeMarco, Esq. Lauletta Birnbaum, LLC 100. S. Broad Street Philadelphia, PA 19110

Dated: March 12, 2018

ROBERT S. HASSON

Senior Assistant Regional Counsel

U.S. Environmental Protection Agency

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