

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103

RECEIVED  
MAY 29 PM 3:54  
REGIONAL HEARING CLERK  
EPA REGION III, PHILA. PA

In the Matter of: :  
 :  
Clarence Hazel : DOCKET NO. TSCA-03-2012-0015  
 :  
 :  
**RESPONDENT** :  
 :  
 :

**MOTION FOR EXTENSION OF TIME TO FILE PREHEARING EXCHANGES**

Pursuant to 40 C.F.R § 22.16 and this Court's Prehearing Order dated May 18, 2012, Counsel for Complainant is hereby requesting an additional forty-five (45) days (until August 6, 2012) to file its Prehearing Exchange in this matter, effectively extending Respondents' Prehearing Exchange to September 4, 2012 and Complainant's Rebuttal Prehearing Exchange to September 17, 2012 in accordance with the *in seriatim* manner that these documents are to be filed. See Prehearing Order @ p.3. *Respondent Clarence Hazel concurs in this motion*, and the parties hereto aver, in support of this motion, as follows: 1) the parties have recently reached a comprehensive settlement in principal and do not anticipate any impediments to entry of a Consent Agreement and Final Order (CAFO) memorializing said settlement; 2) however, additional time is necessary to reduce the agreement to writing, negotiate any terms thereto, and allow sufficient time for multi-party execution and filing of the CAFO with EPA's Regional Hearing Clerk; 3) wherefore, the parties are requesting that the Court suspend or extend the

prehearing exchange deadlines by an additional 45 days so that this matter can be resolved through settlement, thus avoiding unnecessary litigation and waste of judicial resources.

Respectfully submitted,



MAY 29 2012

Benjamin M. Cohan, Esq.  
Senior Assistant Regional Counsel  
EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103  
(215) 814-2618  
FAX: (215) 814-2603

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

In the Matter of:

Clarence Hazel

**RESPONDENT**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

DOCKET NO. TSCA-03-2012-0015

**NOTICE OF SUBSTITUTION OF COUNSEL**

Complainant, the Director of the Land and Chemicals Division, United States Environmental Protection Agency, Region III, ("EPA") hereby gives notice of Complainant's substitution of counsel in the above-captioned matter. Through this Notice of Substitution of Counsel, please be advised that Benjamin M. Cohan, Sr. Assistant Regional Counsel, U.S. Environmental Protection Agency, Region III, hereby enters his appearance and substitution as the attorney of record for the Complainant in this proceeding.

MAY 29 2012

\_\_\_\_\_  
Dated

  
\_\_\_\_\_  
Benjamin M. Cohan (3RC50)  
Sr. Assistant Regional Counsel  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029  
Tel. (215) 814-2618  
Fax (215) 814-2603

RECEIVED

2012 MAY 29 PM 3:54

REGIONAL HEARING CLERK  
EPA REGION III PHILA. PA

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the Motion for Extension of Time to File Prehearing Exchanges and Notice of Substitution of Counsel (TSCA-03-2012-0015) was hand-delivered to the Regional Hearing Clerk, EPA Region III, and that true and correct copies were mailed to the following persons in the method detailed below:

**Via UPS Overnight Mail:**

The Honorable M. Lisa Buschmann  
EPA Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, D.C. 20005

Clarence Hazel  
2807 Landon Drive  
Wilmington, DE 19810

MAY 29 2012

Date

  
Benjamin M. Cohan  
Senior Assistant Regional Counsel