

**U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KANSAS**

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
THE ASKINS DEVELOPMENT) **Docket No.** TSCA-07-2019-0280
GROUP, LLC,)
)
)
Respondent.)

COMPLAINANT'S STATUS REPORT

Complainant, pursuant to the Regional Judicial Officer's request, provides the following Status Report to the Court.

1. On April 27, 2021, the Regional Judicial Officer held a conference call between the attorneys for the parties in this matter in which a variety of matters were discussed, including Respondent potentially claiming an inability to pay a penalty (ability to pay claim).

2. On April 29, Complainant's counsel emailed Respondent's counsel to again explain the information needed to process Respondent's ability to pay claim, namely: (1) Respondent's federal tax filings for the past 3 years, including all schedules and attachments; and (2) the completed ability to pay form (ATP Form) attached to the email.

3. On May 12, Respondent's counsel provided what appears to be Respondent's federal tax filings for 2016, 2017, and 2018 and other financial documentation. Complainant has begun to review these documents to determine if they are complete.

4. On May 12, Complainant's counsel emailed Respondent's counsel a reminder that Complainant could not complete the ability to pay claim analysis without the completed ATP

Form. Complainant's counsel also asked Respondent's counsel for a date certain when the completed ATP Form would be provided to Complainant.

5. As of the date of this Status Report, Respondent has neither provided the completed ATP Form to Complainant, nor given a date when the completed ATP Form will be provided.

Respectfully submitted,

Dated: May 14, 2021

Britt Bieri
Assistant Regional Counsel
U.S. Environmental Protection Agency,
Region 7
Attorney for Complainant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that an exact copy of the foregoing pleading was sent electronically on May 14, 2021 to the following:

Amy Gonzales
Regional Hearing Clerk
R7_Hearing_Clerk_Filings@epa.gov

and

Dan Kazanas
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