

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:

August Mack Environmental, Inc.,

Requestor.

Docket No. CERCLA-HQ-2017-0001

**REQUESTOR'S MOTION FOR REMOTE HEARING ON MOTIONS FOR
ACCELERATED DECISIONS AND MOTION TO STRIKE**

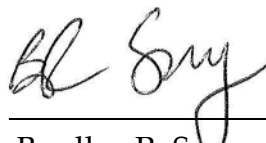
Pursuant to 40 C.F.R. Part 305, Requestor August Mack Environmental, Inc. ("AME") files its Motion for Remote Hearing on the parties' motions for accelerated decisions and AME's motion to strike. In support of its motion, AME states the following:

1. Each party has filed motions for accelerated decisions and those motions are fully briefed or will be fully briefed soon.
2. In addition, AME filed a motion to strike exhibits to EPA's motion for accelerated decision.
3. AME requests the Tribunal to set a remote hearing where oral argument can be held on the motions. *See* 40 C.F.R. § 305.23(c).
4. There is good cause to grant this motion so that counsel can present arguments on the motions.
5. These motions present significant issues, and the outcome of these motions will materially affect the pending case.

6. Counsel for AME asked EPA's counsel whether EPA objects to a hearing on the present motions, and EPA's attorneys have yet to respond.

WHEREFORE, Requestor August Mack Environmental, Inc. moves the Tribunal to hold a remote hearing on the pending motions after the motions are fully briefed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "BR Sugarman", written over a horizontal line.

Bradley R. Sugarman

Philip R. Zimmerly

Jackson L. Schroeder

BOSE MCKINNEY & EVANS LLP

111 Monument Circle, Suite 2700

Indianapolis, Indiana 46204

Telephone: (317) 684-5000

Facsimile: (317) 684-5173

BSugarman@boselaw.com

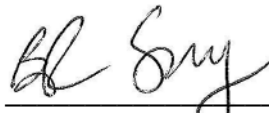
PZimmerly@boselaw.com

JSchroeder@boselaw.com

*Attorneys for August Mack Environmental,
Inc.*

Certificate of Service

I certify that the foregoing was filed and served on the Chief Administrative Law Judge Biro on November 11, 2022 through the Office of Administrative Law Judge's e-filing system, and that a copy of this document was also served on opposing counsel at the following e-mail addresses: cohan.benjamin@epa.gov and Berg.ElizabethG@epa.gov.



Bradley R. Sugarman