



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

In the Matter of:

Robert Lauter d/b/a Prime Cut Paint,

Respondent.

)
)
)
)
)

Docket No. TSCA-03-2023-0034

STATUS REPORT

On December 27, 2023 and pursuant to Chief Administrative Law Judge Susan L. Biro's November 28, 2023 Default Order, Complainant filed copies of a Supplemental Briefing, including Enclosures A & B, and the December 22, 2023 Declaration of Craig Yussen, via the Office of Administrative Law Judge's E-filing system. As specified in the accompanying Certificate of Service and in accordance with 40 C.F.R. § 22.5(b)(2), copies of Complainant's December 27, 2023 filing were served on Mr. Robert Lauter via both UPS overnight mail and email. Proof of the December 27, 2023 electronic mail correspondence and the physical mailing via UPS overnight is attached.

Today Complainant received notice that, after three unsuccessful delivery attempts on December 29, 2023, January 2, 2024, and January 3, 2024, UPS is returning the package to Complainant.

Respectfully submitted,

Patrick Foley
Assistant Regional Counsel

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

In the Matter of:)	
)	
Mr. Robert Lauter d/b/a Prime Cut Paint)	DOCKET NO: TSCA-03-2023-0034
1414 Baychester Ave.)	
Norfolk, VA 23503)	
)	
Respondent.)	

CERTIFICATE OF SERVICE

I hereby certify that, on the date below, copies of the Supplemental Briefing, including Enclosures A & B, and the December 22, 2023 Declaration of Craig Yussen, were served upon the persons listed in the manner indicated.

Original and one copy via THE OALJ E-Filing System

Mary Angeles, Headquarters Hearing Clerk
U.S Environmental Protection Agency
Office of Administrative Law Judges

One copy via THE OALJ E-Filing System

Susan L. Biro, Chief Administrative Law Judge
U.S Environmental Protection Agency
Office of Administrative Law Judges

One copy via UPS overnight mail (with a courtesy copy sent by email):

Mr. Robert Lauter
Prime Cut Paint
1414 Baychester Ave.
Norfolk, VA 23503
757-305-2040
primecutpaint@gmail.com

12/27/23
Date

**PATRICK
FOLEY**  Digitally signed by
PATRICK FOLEY
Date: 2023.12.27
18:41:00 -05'00'

Patrick Foley
Assistant Regional Counsel
U.S. EPA, Region III
Four Penn Center
1600 JFK Blvd
Philadelphia, PA 19103
Foley.Patrick.J@epa.gov

UPS CampusShip: View/Print Label

1. **Ensure there are no other shipping or tracking labels attached to your package.** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
2. **Fold the printed label at the solid line below.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
3. **GETTING YOUR SHIPMENT TO UPS**
Customers with a Daily Pickup
Your driver will pickup your shipment(s) as usual.

Customers without a Daily Pickup

Take your package to any location of The UPS Store®, UPS Access Point(TM) location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampusShip and select UPS Locations.

Schedule a same day or future day Pickup to have a UPS driver pickup all your CampusShip packages.

Hand the package to any UPS driver in your area.

UPS Access Point™
THE UPS STORE
120 S 21ST ST
PHILADELPHIA ,PA 19103

UPS Access Point™
THE UPS STORE
1735 MARKET ST
PHILADELPHIA ,PA 19103

UPS Access Point™
CVS STORE # 10090
2132 SOUTH ST
PHILADELPHIA ,PA 19146

FOLD HERE

<p>LTR 1 OF 1</p> <p>PATRICK FOLEY 215-814-2694 U.S. EPA 1600 JOHN F. KENNEDY BOULEVARD PHILADELPHIA PA 19103</p> <p>SHIP TO: 757-305-2040 MR. ROBERT LAUTER PRIME CUT PAINT 1414 BAYCHESTER AVE NORFOLK VA 23503-2302</p>	<p>VA 235 0-20</p>  	<p>UPS NEXT DAY AIR 1</p> <p>TRACKING #: 1ZA43 F71 24 9086 9579</p>		<p>BILLING: P/P SIGNATURE REQUIRED Reference # 2: TSCA-03-2023-0034</p>  <p>CS 2.3.7.00... WNTNV50 51.0A 12/2023*</p>
--	---	---	---	--

Find UPS Closest Location

Service Alerts (1)

United States - English

About UPS



Shipping

Your shipment
1ZA43F712490869579

Estimated delivery
The delivery date

- Returning to S
- On the Way
- Out for Delivery
- Delivery

Pickup details
[ATLANTIS GAM](#)

Get Updates

UPS Freight Less-than-Truck
Parcel Service, Inc. or any of
by TFI International Inc. or its

This Site

- Tracking
- Shipping
- Contact Us
- Communication Preferences

Global Home | Protect Ag
Do Not Sell or Share My Pers
Copyright ©1994- 2023 United Pa

Last Updated: 01/04/2024 2:28 P.M. EST

Shipment Details

Shipment Progress

Times shown are in Local Time [Change](#)

01/03/2024 8:56 P.M.	Returning to Sender Service disruption occurred. / The package will be returned to the sender. 1ZA43F711290869574 Norfolk, VA, United States
01/03/2024 10:00 A.M.	The receiver was not available at the time of the final delivery attempt. Norfolk, VA, United States
01/03/2024 9:20 A.M.	Out For Delivery Today Norfolk, VA, United States
01/03/2024 8:54 A.M.	Loaded on Delivery Vehicle Norfolk, VA, United States
01/03/2024 4:36 A.M.	Processing at UPS Facility Norfolk, VA, United States
01/02/2024 10:13 A.M.	We missed you again. A final attempt will be made the next business day. Norfolk, VA, United States
01/02/2024 9:16 A.M.	Out For Delivery Today Norfolk, VA, United States
01/02/2024 4:15 A.M.	Processing at UPS Facility Norfolk, VA, United States
12/30/2023 5:39 A.M.	Processing at UPS Facility Norfolk, VA, United States
12/29/2023 8:00 P.M.	The package has been rescheduled for a future delivery date. Norfolk, VA, United States
12/29/2023 2:35 P.M.	We missed you. We are taking your package to a local UPS Access Point™ next business day for customer pickup. Norfolk, VA, United States
12/29/2023 9:19 A.M.	Out For Delivery Today Norfolk, VA, United States
12/29/2023 7:15 A.M.	Processing at UPS Facility Norfolk, VA, United States
12/29/2023 6:32 A.M.	Arrived at Facility Norfolk, VA, United States
12/29/2023 2:43 A.M.	Departed from Facility Laurel, MD, United States
12/29/2023 12:46 A.M.	Arrived at Facility Laurel, MD, United States
12/28/2023 10:41 P.M.	Departed from Facility Philadelphia, PA, United States
12/28/2023 9:06 P.M.	Origin Scan Philadelphia, PA, United States
12/28/2023 5:05 P.M.	Pickup Scan Philadelphia, PA, United States
12/19/2023 10:30 A.M.	Shipper created a label, UPS has not received the package yet. United States

Want to see more? With UPS My Choice® you can see your full shipment progress. [Sign Up Now](#)
Already Enrolled? [Log in](#)

Close

Ask UPS

Feedback

Foley, Patrick-J (he/him/his)

From: Foley, Patrick-J (he/him/his)
Sent: Wednesday, December 27, 2023 7:18 PM
To: Lauter Robert
Subject: Courtesy Copy of Supplemental Briefing: Mr. Robert Lauter D/B/A Prime Cut Paint (Docket No. TSCA 03-2023-0034)
Attachments: R3 Supplemental filing final signed.pdf; Enclosure A - 1018erpp-1207.pdf; Enclosure B Prime Cut Paint Show Cause Letter.pdf; Craig Yussen Declaration Final (signed).pdf

Good evening,

Please see attached a courtesy copy of Supplemental Briefing & supporting materials electronically filed today with the Office of Administrative Law Judges..

The physical mail copy of this Supplemental Briefing and supporting documents has been dropped in delivery today to the address of record via UPS.

Thank you,
Patrick



Patrick Foley
Assistant Regional Counsel
US EPA Mid-Atlantic Region
Email Foley.Patrick.J@epa.gov



This message and any attachments may contain confidential or privileged information and are only for the use of the intended recipient of this message. If you are not the intended recipient, please notify the sender by return email, and delete or destroy this and all electronic and hard copies of this message and all attachments. Any unauthorized disclosure, use, distribution, or reproduction of this message or any attachments is prohibited and may be unlawful.

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

In the Matter of:)	
)	
Mr. Robert Lauter d/b/a Prime Cut Paint)	DOCKET NO: TSCA-03-2023-0034
1414 Baychester Ave.)	
Norfolk, VA 23503)	
)	
Respondent.)	

CERTIFICATE OF SERVICE

I hereby certify that, on the date below, copies Complainant’s Status Report (with attachments) were served upon the persons listed in the manner indicated.

Original and one copy via THE OALJ E-Filing System

Mary Angeles, Headquarters Hearing Clerk
U.S Environmental Protection Agency
Office of Administrative Law Judges

One copy via THE OALJ E-Filing System

Susan L. Biro, Chief Administrative Law Judge
U.S Environmental Protection Agency
Office of Administrative Law Judges

One copy via UPS overnight mail (with a courtesy copy sent by email):

Mr. Robert Lauter
Prime Cut Paint
1414 Baychester Ave.
Norfolk, VA 23503
757-305-2040
primecutpaint@gmail.com

01/04/23
Date

Patrick Foley
Assistant Regional Counsel
U.S. EPA, Region III
Four Penn Center
1600 JFK Blvd
Philadelphia, PA 19103
Foley.Patrick.J@epa.gov