



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

**In the Matter of:** )  
 )  
**Brenntag Northeast, INC.,** ) **Docket No. RCRA-03-2015-0240**  
 ) **CWA-03-2015-0240**  
**Respondent** )

**ORDER OF DESIGNATION**

Chief Administrative Law Judge Susan L. Biro , U.S. Environmental Protection Agency, Washington, D.C., is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation And Recovery Act, 42 U.S.C. § 6928(a) and pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. proceeding under Section 3008(a) of the Solid Waste Disposal Act, as amended, also known as the Resource Conservation And Recovery Act, 42 U.S.C. § 6928(a), and proceeding under Section 311(b)(6)(B)(ii) of the Clean Water Act (“CWA”), 33 U.S.C. §1321(b)(6)(B)(ii) and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits 40 CFR Part 22.

Please note that pursuant to an official EPA pilot program, rather than filing all documents with the Regional Hearing Clerk as specified in 40 C.F.R. § 22.5(a), **all documents and correspondence filed in this matter shall be filed with the Headquarters Hearing Clerk at the**

following address: Sybil Anderson, Headquarters Hearing Clerk, Office of Administrative Law Judges, 1200 Pennsylvania Avenue, N.W., Mail Code 1900R, Washington, D.C. 20460. If filings are sent by commercial carriers, such as UPS and Fedex, or hand-delivered, the following physical address should be used: Ronald Reagan Building, Rm. M1200, 1300 Pennsylvania Avenue, N.W. Washington, D.C. 20004. Documents filed electronically should be submitted online using the OALJ E-Filing System.<sup>1</sup> The Regional Hearing Clerk may properly reject any documents that a party attempts to file in the Regional Office while this matter is before the Administrative Law Judge.

**Privacy Act Statement; Notice of Disclosure of Confidential and Personal Information;**

**Waiver of Confidentiality and Consent to Public Disclosure:** The parties are cautioned that, unless redacted, all information filed with the court will be made publicly available. Thus, the parties are hereby advised not to file, or to redact (i.e., remove or obscure) where filing is necessary, any Confidential Business Information (CBI) or Personally Identifiable Information (PII) pertaining to any person. This may include information that, if disclosed to the public, would constitute an unwarranted invasion of personal privacy, such as Social Security numbers, medical records and personal financial information.

**To the extent that any person files or submits any un-redacted Confidential Business Information (CBI) or Personally Identifiable Information (PII) pertaining to themselves or their client, that person thereby waives any claims to confidentiality and thereby consents to public disclosure by EPA, including posting on the Internet, of all such information they**

---

<sup>1</sup> More information about electronic filing may be found in the Standing Order Authorizing Electronic Filing in Proceedings Before the Office of Administrative Law Judges, available on the Office of Administrative Law Judges' website at [www.epa.gov/oalj](http://www.epa.gov/oalj).

submit. To protect such information against public disclosure, parties must follow the procedures specified on OALJ's website at [www.epa.gov/oalj](http://www.epa.gov/oalj).



---

Susan L. Biro  
Chief Administrative Law Judge

Dated: February 1, 2016  
Washington, D.C.

In the Matter of Brenntag Northeast Inc Respondent  
Docket No RCRA-03-2015-0240  
Docket No CWA-03-2015-0240

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order of Designation**, Issued by Chief Administrative Law Judge Susan L. Biro dated February 1, 2016, was served on this day to the addresses indicated below:



---

Danielle L. Pope  
Paralegal

Original And One Copy To:

Sybil Anderson  
Headquarters Hearing Clerk  
U.S. EPA  
Mail Code 1900R  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460-2001

Copy By Regular Mail And E-Mail To:

Natalie Katz  
Sr. Assistant Regional Counsel (3RC20)  
US EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029  
Katz.natalie@epa.gov

Timothy J. Bergere, Esquire  
Montgomery, McCracken Walker & Rhoads LLP  
123 S Street, Avenue of the Arts  
Philadelphia, PA 19106  
tbergere@mmwr.com

Dated: February 1, 2016  
Washington, DC