

AG

From: AG
Sent: Thursday, May 16, 2024 5:31 PM
To: Sims, Mark
Subject: Re: Request for Norco's Position on Complainant's Motion for Accelerated Decision

I will file an amended motion to dismiss if you will send me your objections to my motion.
You never responded when I asked you if you were using page 4(tab4) of my original request as the basis for your case and I am still awaiting your answer.

On May 16, 2024, at 3:13 PM, AG <ag@norcocorp.com> wrote:

Norco has filed a motion to dismiss, a copy of which was sent to Jacob Finkle. That is our position and feel confident we will prevail. Thank You

From: Sims, Mark <Sims.Mark@epa.gov>
Sent: Thursday, May 16, 2024 1:59 PM
To: AG <ag@norcocorp.com>
Cc: Finkle, Jacob (he/him/his) <Finkle.Jacob@epa.gov>
Subject: Request for Norco's Position on Complainant's Motion for Accelerated Decision

Mr. Hollenstein,

We plan to file a motion for accelerated decision *In the Matter of Norco Corporation*. The OALJ Citizen's Guide describes the motion for accelerated decision on pages 26-27 (<https://www.epa.gov/sites/default/files/2013-09/documents/citizens-guide.pdf>). Our motion would request that the Tribunal grants our motion for accelerated decision and finds that Norco is liable as a matter of law for the alleged violations of Section 2025(x)(2) of the California Truck and Bus Regulation.

Page 4 Judge Biro's January 31, 2024 Prehearing Order states: "Prior to filing any motion, the moving party must contact all other parties to determine whether the other parties have any objection to the granting of the relief sought in the motion, and the motion shall state the position of the other parties." Can you please state Norco's position on Complainant's request for accelerated decision?

Thank you,

Mark Sims
Environmental Engineer
Air Office (ENF-2-1)
Enforcement and Compliance Assurance Division
U.S. EPA Region 9
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San Francisco, CA 94105
415-972-3965

<Motion to Dismiss.pdf>

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