



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

2008 FEB -1 PM 1:38

BEFORE THE ADMINISTRATOR

FILED
BY KATHY M. VIL
LEAFLET 12 1816


In the Matter of:)
)
MERIT ENERGY COMPANY,) Docket No. CWA-08-2007-0027
)
Respondent.)

INITIAL PREHEARING ORDER

As you have been previously notified, I am designated to preside over this proceeding. This proceeding will be governed by the applicable statute(s) as well as the Consolidated Rules of Practice Governing Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits (the "Rules of Practice") (40 C.F.R. Part 22). The parties are advised to familiarize themselves with both the applicable statute(s) and the Rules.

The record indicates that on January 28, 2008, the Neutral Judge terminated the Alternative Dispute Resolution Process in this case and reported that the parties had reached a settlement and were circulating for approval their Consent Agreement and Final Order. Therefore, the parties are hereby ORDERED to file their fully executed Consent Agreement and Final Order memorializing their settlement no later than FEBRUARY 29, 2008, with a copy contemporaneously sent to the undersigned by facsimile and mail.

FAILURE TO SUBMIT THE CONSENT AGREEMENT IN A TIMELY MANNER MAY RESULT IN ENTRY OF AN ORDER OF DISMISSAL WITH PREJUDICE OR DEFAULT, AS APPROPRIATE, WITHOUT FURTHER NOTICE.




Susan L. Biro
Chief Administrative Law Judge

Dated: January 31, 2008
Washington, D.C.

In the Matter of Merit Energy Company, Respondent
Docket No. CWA-08-2007-0027

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated January 31, 2008, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Legal Staff Assistant

Dated: January 31, 2008

Original And One Copy By Pouch Mail To:

Tina Artemis
Regional Hearing Clerk
U.S. EPA
1595 Wynkoop Street
Denver, CO 80202-1129

Copy By Pouch Mail To:

Amy Swanson, Esquire
Enforcement Attorney (8ENF-L)
U.S. EPA
1595 Wynkoop Street
Denver, CO 80202-1129

Copy By Regular Mail To:

Arlene Valliquette
Land & Regulatory Manager-North Division
Merit Energy Company
13727 Noel Road, Suite 500
Dallas, TX 75240
