

10/13/98

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR


In the Matter of)
)
 Heating Oil Partners, L.P.) Docket No. 97-CWA-III-199
)
 Respondent)

ORDER DISMISSING MOTION FOR ACCELERATED DECISION
and
SETTING DEADLINE FOR SETTLEMENT

This will acknowledge my receipt of correspondence from the Respondent indicating that the parties have reached a settlement in principle of this proceeding. The Respondent requests that the Complainant's motion for partial accelerated decision therefore be suspended.

Due to the settlement, the Complainant's pending motion for accelerated decision with respect to certain counts of the Complaint is hereby ordered dismissed without prejudice. Should the final settlement not materialize, the Complainant may move to refile the motion.

The hearing remains scheduled to begin on December 1, 1998 in Philadelphia, Pennsylvania. The hearing will be canceled upon my receipt of a fully executed copy of the Consent Agreement and Consent Order. Such executed copy of the CACO must be filed no later than November 20, 1998.



Andrew S. Pearlstein
Administrative Law Judge

Dated: October 13, 1998
Washington, D.C.

IN THE MATTER OF HEATING OIL PARTNERS, L.P., Respondent

Docket No. 97-CWA-III-199

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Dismissing Motion for Accelerated Decision and Setting Deadline for Settlement**, dated October 13, 1998, was sent in the following manner to the addressees listed below.

Original by Pouch Mail to:

Lydia A. Guy
Regional Hearing Clerk
U.S., EPA, Region 3
1650 Arch Street
Philadelphia, Pennsylvania 19103

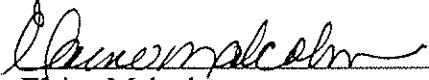
Copy by Regular Mail to:

Counsel for Complainant:

Natalie Katz, Esquire
Assistant Regional Counsel
U.S., EPA, Region 3
1650 Arch Street
Philadelphia, Pennsylvania 19103

Counsel for Respondent:

Ellen S. Tenenbaum, Esquire
McDermott, Will & Emery
600 13th Street, NW
Washington, D.C. 20005


Elaine Malcolm
Legal Assistant

Dated: October 13, 1998
Washington, D.C.