



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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In the Matter of:

Joseph Oh

and

Holly Investment, LLC

Respondents.

)
)
) Docket No. RCRA-10-2011-0164
)
)
)
) Dated: July 24, 2012
)

**NOTICE OF HEARING LOCATION AND
ORDER SCHEDULING PREHEARING CONFERENCE**

The hearing in this matter is scheduled to commence at 9:30 a.m. Pacific Time on Tuesday, August 14, 2012 and will continue if necessary on August 15, 2012, at the following location:

The Henry M. Jackson Federal Building
Room No. 1826
915 Second Avenue
Seattle, Washington 98174

In anticipation of hearing, the Complainant and Respondents are **ORDERED** to participate in a prehearing conference addressing among other things the status of efforts to settle this case, hearing procedures and policies, simplification of issues and stipulation of facts not in dispute, and matters which may expedite the disposition of the proceeding. *See*, 40 C.F.R. § 22.19(b). There is good cause to hold this prehearing conference by telephone because the parties are located in Seattle, Washington, while the undersigned and her staff attorney are located in Washington, D.C.

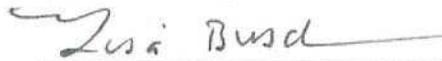
The prehearing conference in this matter will begin at 9:00 a.m. Pacific Time, 12:00 p.m. Eastern Time, on Thursday, August 2, 2012. To appear at the conference, each party must call the conference line at 1-866-299-3188. Then, when prompted, each party must enter the conference code of 202-564-6261, followed by the pound (#) sign. The conference line will open five minutes before the conference is scheduled to begin.

The Rules of Practice that govern this proceeding provide at 40 C.F.R. § 22.17 that “[a] party may be found to be in default: . . . upon failure to appear at a conference,” and that “[d]efault by respondent constitutes . . . an admission of all facts alleged in the complaint” and a decision by default ordering the respondent to pay the penalty proposed in the complaint may be issued without a hearing.

RESPONDENTS ARE HEREBY ADVISED THAT FAILURE TO CALL IN TO THE PREHEARING CONFERENCE ON THE DATE AND TIME SPECIFIED MAY RESULT IN A DECISION BY DEFAULT BEING ENTERED AGAINST THEM.

If either party does not intend to attend the prehearing conference, or has good cause for not attending the prehearing conference as scheduled, it shall notify the undersigned at the earliest possible moment, by contacting staff attorney Ed Kulschinsky, Esq., at kulschinsky.edward@epa.gov or (202) 564-4133.

SO ORDERED.



M. Lisa Buschmann
Administrative Law Judge

In the Matter of Joseph Oh and Holly Investment, LLC, Respondents.
Docket No. RCRA-10-2011-0164

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Notice of Hearing Location and Order Scheduling Prehearing Conference**, issued by M. Lisa Buschmann, Administrative Law Judge, in Docket No. RCRA-10-2011-0164, were sent to the following parties on this 24th day of July 2012, in the manner indicated:


Knolyn Jones
Legal Staff Assistant

Original and One Copy Regular Mail to:

Carol Kennedy
Regional Hearing Clerk
U.S. EPA, Region X
1200 Sixth Avenue, ORC-158
Seattle, WA 98101
Email: kennedy.carol@epa.gov

Copy by Email and Regular Mail to:

Deborah E. Hilsman, Esq.
Assistant Regional Counsel
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Copy by Email and Regular Mail to:

Joseph Oh
FBO Holly Investments, LLC
4905 70th Avenue West
University Place, WA 98467
Email: josephoh405@gmail.com and oh.joseph@ymail.com

Copy by Email to:

Greg Tift
Email: ipwcci@mail.lawguru.com

Dated: July 24, 2012
Washington, DC

