



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:
SHABBIR SHAIKH,
and
ALISHIAN, INC.,
t/a Royal Service Center
Respondents.

Docket No. SWDA-06-2007-5602

RCRA-03-2007-0279

AUG. 29, 2008

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 August 14, 2008, the Complainant reported to the Neutral Judge that, based upon new evidence received, it was preparing a Motion to Withdraw the Complaint as to Respondent Shabbir Shaikh and that it had reached a settlement with Respondent, Alishan, Inc., and was awaiting receipt of the Consent Agreement and Final Order with his signature. Based upon these circumstances, Complainant requested that the Alternative Dispute Resolution (ADR) process then in place be extended until September 15, 2008. In that the case had exceeded the time permitted for pendency in ADR, on August 26, 2008, the Neutral Judge terminated the ADR process and referred the case to the litigation docket. Based upon the foregoing, Complainant is hereby ORDERED to file any Motion to Withdraw the Complaint as to Respondent Shabbir Shaikh as well as the fully executed Settlement Agreement with Respondent Alishan, Inc. and on or before September 15, 2008.

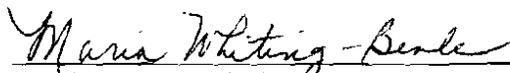
Susan L. Biro
Chief Administrative Law Judge

Dated: August 28, 2008
Washington, D.C.

In the Matter of Shabbir Shaikh and Alishan, Inc., t/a Royal Service Center, Respondents
Docket No. RCRA-03-2008-0354

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated August 28, 2008, was sent this day in the following manner to the addressees listed below.


Maria Whiting-Beale
Staff Assistant

Dated: August 28, 2008

Original And One Copy By Pouch Mail To:

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