UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 06 0C 1 30 AM 10: 40

BEFORE THE ADMINISTRATOR IRONMENTAL PROTECTION AGENCY-REGION VII REGIONAL HEARING CLERK

IN THE MATTER OF)
)
Able Manufacturing & Assembly, LLC) Docket No. CAA-07-2006-0165
)
Respondent)

ORDER TO SHOW CAUSE

On June 30, 2006 the Court issued its Prehearing Order, which Order required that the parties make their initial prehearing exchanges by August 31, 2006. EPA complied with the Court's Order, but as of the date of this Order, the Respondent has never complied. Under 40 C.F.R. § 22.17 of the Consolidated Rules of Practice a party may be found in default for failure to comply with the prehearing exchange requirements or any Order from the Court. The Court's Prehearing Order was clear about the Prehearing Exchange requirement and the due date for it.

Therefore the Respondent is ordered to show good cause, on or before November 6, 2006, to explain why it failed to submit its prehearing exchange and why a default order should not be issued against it. No consent agreement may be filed in lieu of complying with this Order and no consent agreement should be approved until the issue of default, as raised in this Order, is resolved.

William B. Moran

United States Administrative Law Judge

Dated: October 27, 2006 Washington, D.C.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order to Show Cause**, dated, October 27, 2006, was sent in the following manner to the addressees listed below.

Knolyn R. Jones

Legal Staff Assistant

Dated: October 27, 2006

Original and One Copy by Pouch Mail to:

Kathy Robinson Regional Hearing Clerk U.S. EPA 901 North 5th Street Kansas City, KS 66101

Copy by Pouch Mail to:

Kristi J. Denny, Esq. Assistant Regional Counsel U.S. EPA 901 North 5th Street Kansas City, KS 66101

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