

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the Matter of)
)
John A. Biewer Company of Toledo, Inc.,)
300 Oak Street) Docket No. RCRA-05-2008-0006
St. Clair, Michigan 48079-0497)
)
U.S. EPA ID #: OHD 106 483 522)
)
Respondent)

NOTICE OF HEARING

The Parties have confirmed availability for a hearing commencing at 9:30 a.m. on Wednesday, February 18, 2009 and continuing, as necessary, through Thursday, February 19, 2009 in Toledo, Ohio

The regional hearing clerk is directed to determine the availability of a courtroom for the dates above and to advise the Court as to the arrangements. If a courtroom is not available in the city stated above, the regional hearing clerk is directed to find a courtroom in the closest available city.

No dispositive motions may be filed after December 12, 2008, such as motions for accelerated Decisions. In addition to complying with the procedural rules requirements regarding filing, motions are also to be filed by facsimile with the Court.

In addition to the paper filing requirements for post-hearing briefs, as set forth at 40 C.F.R § 22.26, the parties are to submit, *to the court only*, a floppy disc version of the post-hearing briefs and replies thereto, in "Word Perfect" format. The parties are advised that the purpose behind requiring that a floppy disk in Word Perfect format, be included with all motions and briefs is to make it possible for the Court to quote liberally from those documents in creating its orders and decisions. The Court's orders and decisions are created using Word Perfect software. Therefore, please do not have the disk version of the document encoded or otherwise adorned with boxes which make it difficult or impossible to cut and paste from those submissions, as that defeats the purpose of the requirement.

William B. Moran
William B. Moran
United States Administrative Law Judge

Dated: November 21, 2008
Washington, DC

CERTIFICATE OF SERVICE

I certify that the foregoing **Notice of Hearing**, dated, November 21, 2008, was sent this day in the following manner to the addressees listed below:

Original by Regular Mail to: Tywana Green
Acting Regional Hearing Clerk
U.S. EPA - Region 5
77 W. Jackson Blvd., E-13J
Chicago, IL 60604-3590

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Copy by Regular Mail and facsimile to:

Attorney for Complainant:

Richard Wagner, Esq.
Office of Regional Counsel
U.S. EPA - Region 5
77 W. Jackson Blvd., E-13J
Chicago, IL 60604-3590

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Attorney for Respondent:

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Knolyn R. Jones
Legal Assistant

Dated: November 21, 2008