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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
JAN 19 1964

Docket No. EPCRA-5-2007-0027

3. If the Respondent intends to take the position that it is unable to pay the proposed penalty, or that payment will have an adverse effect on Respondent's ability to continue in business, Respondent shall furnish supporting documentation such as financial statements or tax returns.

4. The Respondent is directed to clarify whether its defense admits liability but challenges the appropriateness of the penalty sought by EPA.

5. The Complainant shall submit a statement on the applicability of the Paperwork Reduction Act ("PRA"), 44 U.S.C. § 3501 et seq., to this proceeding, including whether there is a current Office of Management and Budget control number involved and whether the provisions of Section 3512 of the PRA may apply to this case.

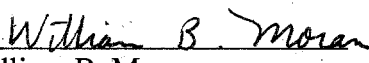
6. Each party shall submit its views on the place for the hearing pursuant to §§22.21(d) and 22.19(d) of the Rules. Each party should also indicate when they would be available for the hearing, and give an estimate of the time needed to present its direct case.

The Parties must simultaneously make their initial prehearing exchanges by **Thursday, February 14, 2008**. If Respondent does not intend to present a direct case, but does wish to cross-examine Complainant's witnesses, it must submit a statement to that effect instead of a prehearing exchange. After the initial exchanges, the parties may file supplements to their prehearing exchanges (including any reply or rebuttal material), without motion, until 30 days before the date scheduled for the hearing.

I will schedule the hearing after I receive the parties' initial exchanges.

Upon completion of the prehearing exchanges, the parties are directed to confer with one another in order to determine those issues which remain genuinely in dispute, so that the hearing may be focused on such matters. The parties shall then submit a statement to me identifying those issues.

The original and one copy of all filings, with attachments, shall be sent to the Regional Hearing Clerk, and copies sent to the opposing party and the Administrative Law Judge.


William B. Moran
Administrative Law Judge

Dated: December 12, 2007
Washington, DC

If sending by:
Fed Ex, UPS or any type of Courier service

Judge William B. Moran
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Franklin Court Building
1099 14th Street N.W. Suite 350
Washington, DC 20460

If sending by:
Regular U.S. mail

Judge William B. Moran
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1200 Pennsylvania Ave., N.W.
Mail Code 1900L
Washington, DC 20005

In the Matter of Hutson Enterprise, Inc., d/b/a Sparkle Pool Service and Supply of Indiana,
Respondent
Docket No. EPCRA-5-2007-0013

CERTIFICATE OF SERVICE

I certify that the foregoing **Prehearing Order**, dated December 12, 2007, was sent this day in the following manner to the addressees listed below:

Original by Regular Mail to:

Sonja Brooks-Woodard
Regional Hearing Clerk
U.S. EPA - Region 5
77 West Jackson Blvd., 13th Floor
Chicago, IL 60604

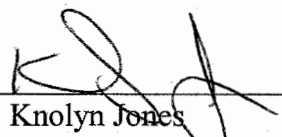
Copy by Regular Mail to:

Attorney for Complainant:

Robert Guenther, Esq.
Assistant Regional Counsel
U.S. EPA - Region 5
77 West Jackson Blvd., 13th Floor
Chicago, IL 60604

Attorney for Respondent:

Karen Lowell, Esq.
1683 Southwest
109 Terrace
Davie, FL 33324



Knolyn Jones
Legal Staff Assistant

Dated: December 12, 2007