



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:)
RUSSELL WISE,) Docket No. CWA-04-2009-5504
Respondent.)

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 March 9, 2010, the Neutral Judge terminated the Alternative Dispute Resolution Process in this case, reported that the parties had reached a settlement, and that they were in the process of preparing their Consent Agreement and Final Order (CAFO). Therefore, the Complainant is hereby ORDERED to file the fully executed Consent Agreement and Final Order memorializing the settlement no later than April 15, 2010, with a copy contemporaneously sent to the undersigned by facsimile and mail.

FAILURE TO SUBMIT THE CONSENT AGREEMENT IN A TIMELY MANNER MAY RESULT IN ENTRY OF AN ORDER OF DISMISSAL WITH PREJUDICE OR DEFAULT, AS APPROPRIATE, WITHOUT FURTHER NOTICE.

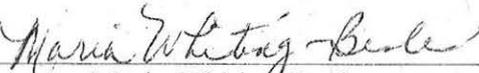
[Handwritten signature]
Susan L. Biro
Chief Administrative Law Judge

Dated: March 15, 2010
Washington, D.C.

In the Matter of Russell Wise, Respondent
Docket No. CWA-04-2009-5504

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated March 15, 2010, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: March 16, 2010

Original And One Copy To:

Patricia Bullock
Regional Hearing Clerk
U.S. EPA
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Atlanta, GA 30303-8960

Copy By Pouch Mail To:

Philip G. Mancusi-Ungaro, Esquire
Associate Regional Counsel
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