



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
PETROLEUM MARKETERS, INC.,) Docket No. CWA-03-2008-0103
d/b/a APB Whiting Oil Co.,)
)
Respondent.)

ORDER GRANTING MOTION TO SUBSTITUTE PARTY
AND AN EXTENSION OF TIME

This matter was initiated on January 28, 2008. On February 27, 2008, an Answer to the Complaint was filed on behalf of the named Respondent, "Petroleum Marketers, Inc. (PMI)," as well as "PM Terminals, Inc." Included in the mutual Answer filed was a Motion to Substitute Party requesting that "PM Terminals, Inc. d/b/a APB Whiting Oil Co., (PMT)" be substituted for PMI as the named Respondent in this action. The Answer further included the representation that the "Facility" at issue in the Complaint is owned and operated by PMT, which is a wholly owned subsidiary of PMI, and thus PMT is the proper party to this action. To date, Complainant has filed no response to this Motion. For good cause shown, the Motion to Substitute Party is hereby **GRANTED**, and the Complaint and Caption shall be changed to indicate the named Respondent as "PM Terminals, Inc. d/b/a APB Whiting Oil Co."

Further, on August 1, 2008, the Neutral Judge terminated the Alternative Dispute Resolution Process in this case and reported that the parties had reached a settlement in principle. By Order dated September 5, 2008, the parties were Ordered to file their fully executed Consent Agreement and Final Order memorializing their settlement no later than September 15, 2008. However, on September 15, 2008, this Tribunal was advised by the Regional Judicial Officer that she would not approve the settlement agreement until an Order was issued on the Motion to Substitute Party and certain changes made by the parties to the settlement agreement. Therefore, to the allow time for such changes to be made and approvals to be obtained, the parties are hereby granted an extension of time until **September 30, 2008** to file their fully executed Consent Agreement and Final Order, 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.



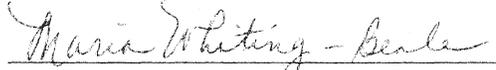
Susan L. Biro
Chief Administrative Law Judge

Dated: September 15, 2008
Washington, D.C.

In the Matter of Petroleum Marketers, Inc., d/b/a APB Whiting Oil Co., Respondent
Docket No. CWA-03-2008-0103

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motion To Substitute Party And An Extension Of Time**, dated September 15, 2008, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: September 16, 2008

Original And One Copy By Pouch Mail To:

Lydia A. Guy
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Philadelphia, PA 19103-2029

Copy By Pouch Mail To:

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