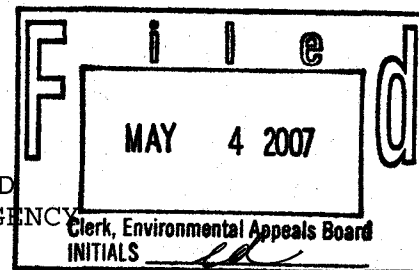


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re: )

Euclid of Virginia, Inc. )

Docket No. RCRA-3-2002-0303 )

RCRA (3008) Appeal No. 06-05

ORDER SCHEDULING ORAL ARGUMENT

On February 14, 2007, Respondent, Euclid of Virginia, Inc. ("Euclid"), filed an appeal with the Environmental Appeals Board ("Board") seeking review of an Initial Decision issued by Administrative Law Judge ("ALJ") Carl C. Charneski, finding Euclid liable for violations of Subtitle IX of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA"), codified at 42 U.S.C. §§ 6991-6991i, the federal Underground Storage Tank ("UST") regulations (found at 40 CFR pt. 280), and the UST regulations of the District of Columbia, the State of Maryland, and the Commonwealth of Virginia. On April 20, 2007, Complainant, U.S. EPA Region 3 (the "Region"), filed a cross-appeal challenging the ALJ's decision to find Euclid not liable for the violations alleged in 3 of the 70 counts alleged in the complaint.

Upon review of the Initial Decision, and the briefs the parties have submitted, the Board has decided that oral argument will assist it in its deliberations of this matter. Accordingly, the parties are hereby requested to participate in oral argument

beginning at 11:00 a.m. on Thursday, July 19, 2007, in the Administrative Courtroom, U.S. Environmental Protection, EPA East Building, Room 1152, 1201 Constitution Avenue, N.W., Washington, D.C. The Board has allocated sixty (60) minutes total for this oral argument, divided as follows: (1) thirty minutes for Euclid and (2) thirty minutes for the Region. At the outset of the proceedings, Euclid may reserve five minutes of its thirty-minute allocation for rebuttal.<sup>1</sup>

The parties shall notify the Clerk of the Board in writing by July 12, 2007, of the names of counsel who will present argument. Counsel for either of the parties who wish to participate in this oral argument via the EPA video-conferencing equipment in the Administrative Courtroom shall contact the Clerk of the Board, at 202-233-0122, no later than June 19, 2007, to make arrangements for use of such equipment.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

*May 9, 2007*

By: *Kathie A. Stein*

Kathie A. Stein

Environmental Appeals Judge

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<sup>1</sup>Given the number of issues raised by the parties, it is likely that the Board will issue another order narrowing the scope of the issues to be presented at oral argument or asking the parties to focus their presentation on certain aspects of their appeals.

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order Scheduling Oral Argument in the matter of Euclid of Virginia, Inc., RCRA (3008) Appeal No. 06-05, were sent to the following persons in the manner indicated:

First Class Mail:

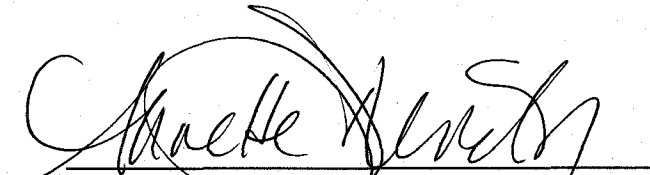
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Dated: MAY -7 2007

  
Annette Duncan  
Secretary