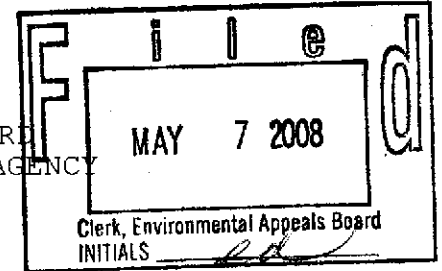


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
Service Oil, Inc.)
Docket No. CWA-08-2005-0010)

CWA Appeal No. 07-02

ORDER RESCHEDULING ORAL ARGUMENT

By order dated April 30, 2008, the Environmental Appeals Board ("Board") scheduled oral argument in the above-captioned matter. The argument was originally scheduled to begin at 10:00 a.m. EST on Tuesday, June 10, 2008, in EPA's Administrative Courtroom.

Counsel for Complainant, U.S. EPA Region 8 (the "Region"), has requested that oral argument be held on a different date due to prior conflicting commitments. Counsel for Respondent, Service Oil, Inc., does not oppose the Region's request.

Upon consideration, the Board hereby grants the Region's request. As the April 30 order notes, the parties should focus primarily on the first issue Service Oil raises on appeal (i.e., whether the issuance of an individualized request or order by the Administrator pursuant to section 308 (33 U.S.C § 1318) is a "precondition" to a finding of liability for a violation of Section 308) as articulated on pages 8-13 of the appeal brief, and the responses Region 8 provided in its Response Brief.

Accordingly, oral argument is rescheduled to begin at 11:00 a.m. EST on Thursday, June 5, 2008, in the Administrative Courtroom, U.S. Environmental Protection Agency, 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 Service Oil and (2) thirty minutes for the Region. At the outset of the proceedings, Service Oil may reserve five minutes of its thirty-minute allocation for rebuttal.

The parties shall notify the Clerk of the Board in writing by May 22, 2008, 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 May 22, 2008, to make arrangements for use of such equipment.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: *5/7/2008*

By: *Charles Sheehan*
Charles Sheehan
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Rescheduling Oral Argument in the matter of Service Oil, Inc., CWA Appeal No. 07-02, were sent to the following persons in the manner indicated:

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Dated: **MAY - 7 2008**



Annette Duncan
Secretary