

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

n the Matter of:	AR AR
	三) 吾
PUERTO RICO AIR NATIONAL GUARD,)
JERTO RICO AIR NATIONAL GUARD, S. AIR FORCE,) Docket No. RCRA -02-2009-7506
)
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 May 18, 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 **June 21, 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.

usan L. Biro

Chief Administrative Law Judge

Dated: May 20, 2010

Washington, D.C.

<u>In the Matter of Puerto Rico Air National Guard, U.S. Air Force,</u> Respondent Docket No. RCRA-02-2009-7506

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated May 20, 2010, was sent this day in the following manner to the addressees listed below.

Maria Whiting-Beale

Staff Assistant

Dated: May 20, 2010

Original And One Copy By Pouch Mail To:

Karen Maples Regional Hearing Clerk U.S. EPA 290 Broadway, 16th Floor New York, NY 10007-1866

Copy By Pouch Mail To:

Bruce Aber, Esquire Assistant Regional Counsel U.S. EPA 290 Broadway, 16th Floor New York, NY 10007-1866

Copy By Regular Mail To:

Burton Gray, Esquire Office of the Chief Counsel (NGB-JA) National Guard Bureau 1411 Jefferson Davis Highway, Suite 11300 Arlington, VA 22202-3231