



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

RECEIVED

00 SEP 21 PM 3:16

HEARINGS CLERK EPA--REGION 10

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
JACK GOLDEN,) DOCKET NO. CWA-10-99-0188
RESPONDENT)

ORDER TO SHOW CAUSE

The file before me reflects that Respondent has failed to file either its prehearing exchange or a statement of election only to conduct cross-examination of Complainant's witnesses as its manner of defense on or before September 4, 2000, as required by the Administrative Law Judge's Prehearing Order dated June 7, 2000, and that Respondent has not filed a motion for an extension of the filing deadline. Complainant timely filed its prehearing exchange.

Under Section 22.17(a) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 40 C.F.R. § 22.17(a), a party may be found to be in default upon failure to comply with a prehearing order of the Administrative Law Judge. Therefore, Respondent is ordered to show cause, if any, on or before October 3, 2000, why Respondent failed to meet the September 4, 2000, filing deadline and why a default order should not be entered for failing to meet this deadline.

Barbara A. Gunning
Administrative Law Judge

Dated: 9/19/00
Washington, DC

ORIGINAL

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of this ORDER TO SHOW CAUSE, dated September 19, 2000, IN RE: JACK GOLDEN, DKT. NO. CWA-10-99-0188, were mailed to the Regional Hearing Clerk, Reg. X, and a copy was mailed to Respondent and Complainant (see list of addressees).



Helen F. Handon
Legal Staff Assistant

Date: September 19, 2000

ADDRESSEES:

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Karl W. Ferrier, Esq.
P.O. Box 1159
Ocean Park, WA 98640

Deborah Hilsman, Esq.
Assistant Regional Counsel
Office of Regional Counsel
U.S. EPA, Reg. X
1200 Sixth Ave., Mail Stop ORC-158
Seattle, WA 98101

REGULAR MAIL

Ms. Mary Shillcutt
Regional Hearing Clerk
U.S. EPA, Reg. X
1200 Sixth Avenue
Seattle, WA 98101