



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the Matter of:

ELECTRO-MAX, INC.,

Respondent.

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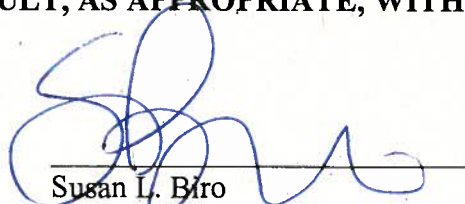
Docket No. EPCRA-05-2008-0015

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 February 2, 2009, the Neutral Judge terminated the Alternative Dispute Resolution Process in this case and reported that the parties had reached a settlement in principle and were in the process of finalizing a Consent Agreement and Final Order. Therefore, the parties are hereby **ORDERED** to file their fully executed Consent Agreement and Final Order memorializing their settlement no later than **March 6, 2009**, 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.



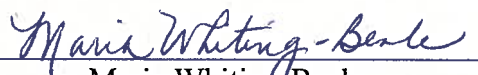
Susan L. Biro
Chief Administrative Law Judge

Dated: February 5, 2009
Washington, D.C.

In the Matter of Electro-Max, Inc., Respondent
Docket No. EPCRA-05-2008-0015

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated February 5, 2009, was sent this day in the following manner to the addressees listed below.


Maria Whiting-Beale
Staff Assistant

Dated: February 5, 2009

Original And One Copy By Pouch Mail To:

Tywanna Greene
Acting Regional Hearing Clerk
U.S. EPA
77 West Jackson Boulevard, E-13J
Chicago, IL 60604-3590

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Copy By Pouch Mail To:

Mony Chabria, Esquire
Assistant Regional Counsel
U.S. EPA
77 West Jackson Boulevard, C-14J
Chicago, IL 60604-3590

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U.S. ENVIRONMENTAL
PROTECTION AGENCY

Copy By Regular Mail To:

Christopher T. Nowotarski, Esquire
Stone Pogrand & Korey
221 N. LaSalle Street, 32nd Floor
Chicago, IL 60601