



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

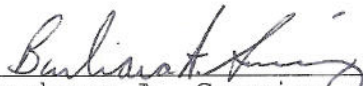
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2010 APR 16 P 4:22

IN THE MATTER OF	)	
	)	
TOWN OF NORTH PROVIDENCE,	)	DOCKET NO. CWA-01-2009-0093
DEPARTMENT OF PUBLIC WORKS,	)	
	)	
	)	
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 March 26, 2010, as required by the Administrative Law Judge's Prehearing Order dated October 7, 2009, as amended November 25, 2009, 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 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 **April 30, 2010**, why Respondent failed to meet the March 26, 2010 filing deadline and why a default order should not be entered for failing to meet this deadline.

  
Barbara A. Gunning  
Administrative Law Judge

Dated: April 14, 2010  
Washington, DC

**In the Matter of *Town of North Providence, Department of Public Works, Respondent.***  
**Docket No. CWA-01-2009-0093**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order to Show Cause**, dated April 14, 2010, was sent this day in the following manner to the addressees listed below.



---

Mary Angeles  
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

Wanda Santiago  
Regional Hearing Clerk  
US EPA, Region I  
5 Post Office Square, MC-ORA 18-1  
Boston, MA 02109-3912  
Fx: 617.918.0103

Copy by Facsimile and Pouch Mail to:

Tonia Bandrowicz, Esq.  
Sr. Enforcement Counsel  
US EPA, New England, Region I  
5 Post Office Square, Suite 100  
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Boston, MA 02109-3912  
Fx: 617.918.0103

Copy by Facsimile - Regular Mail - and Certified Return Receipt Mail to:  
[CRR #7005 0390 0002 5028 8429]

Stephen Burke, Esq.  
Ratcliffe Burke Haren & Elias, LLP  
1600 Financial Plaza  
Providence, RI 02903  
Fx: 401.331.3440

Dated: April 14, 2010  
Washington, D.C.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ADMINISTRATIVE LAW JUDGES  
MAIL CODE 1900L  
1200 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20460-2001  
TELEPHONE 202-564-6255  
FACSIMILE: 202-565-0044



FAX TRANSMITTAL PAGE

Date: Wed., 4/14/10

From the office of: Administrative Law Judge Barbara Gunning

To: Wanda Santiago, RHC  
Of: U.S. EPA / Region I

Fax: 617.981.0103

To: Tonia Bandrowicz, Esq.  
Of: ORC, U.S. EPA / Region I

Fax: 617.918.1809

To: Stephen Burke, Esq.  
Of: Ratcliffe Burke Haren & Elias, LLP

Fax: 401.331.3440

In Re to: *Town of North Providence, Department of Public Works*  
Docket No. CWA-01-2009-0093

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*RHC*

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*Mr. Bush*



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 RESPONDENT )

OFFICE OF HEARING CLERK

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*Barbara A. Gunning*  
 \_\_\_\_\_  
 Barbara A. Gunning  
 Administrative Law Judge

Dated: April 14, 2010  
 Washington, DC

**In the Matter of *Town of North Providence, Department of Public Works*, Respondent.  
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