

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 10

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HEARINGS CLERK
EPA -- REGION 10

IN THE MATTER OF:)
)
BLACK DIAMOND ENGINEERING) Proceedings under Section 309(g)
Sandpoint, Idaho) Clean Water Act
) 33 U.S.C. §1319(g)
)
Respondent) DOCKET NO: CWA-10-2007-0147
)

CORRECTION TO PREHEARING ORDER AND NOTICE OF HEARING


On February 12, 2008, the undersigned issued a Prehearing Order and Notice of Hearing concerning action initiated by the Director of the Office of Compliance and Enforcement, United States Environmental Protection Agency Region 10 ("EPA" or "Complainant"), who seeks to assess an administrative penalty under section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g). The purpose of this notice is to correct one item that was included in the February 12 order.

Specifically, paragraph 3 of the February 12 order is hereby corrected to read that the Parties shall submit any motions by Tuesday, March 25, 2008:

3. By close of business on Tuesday, March 25, 2008, the Parties shall submit any motions to be considered prior to the Hearing that conform to the requirements of § 22.16(a) of the Consolidated Rules, which shall be served as provided by § 22.5(b)(2) of the Consolidated Rules.

The rest of the order issued February 12, 2008 remains unchanged.

SO ORDERED this 15th Day of February 2008.



Richard G. McAllister
Regional Judicial Officer


CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CORRECTION TO REHEARING ORDER AND NOTICE OF HEARING** in the matter of **BLACK DIAMOND ENGINEERING, DOCKET NO: CWA-10-2007-0147** was filed with the Regional Hearing Clerk on February 15, 2008.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Courtney Hamamoto, Assistant Regional Counsel, U.S. EPA - Region 10, 1200 Sixth Avenue, Seattle, Washington 98101. A true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt on February 15, 2008, to:

Joel W. Petty, P.E.
Black Diamond Engineering
1555 W. Ontario St.
Sand Point, Idaho 83864

February 15, 2008



Carol Kennedy
Regional Hearing Clerk