



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

RECEIVED NOV 14 2008

REGIONAL HEARING CLERK U.S. ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)
ARETHA MARSHALL,) Docket No. TSCA-05-2008-0008
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 November 7, 2008, 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 circulating a Consent Agreement and Final Order for execution. Therefore, the parties are hereby ORDERED to file their fully executed Consent Agreement and Final Order memorializing their settlement no later than December 12, 2008, 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.

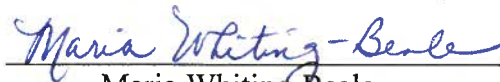
[Signature]
Susan L. Biro
Chief Administrative Law Judge

Dated: November 10, 2008
Washington, D.C.

In the Matter of Aretha Marshall, Respondent
Docket No. TSCA-05-2008-0008

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated November 10, 2008, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: November 12, 2008

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

Copy By Pouch Mail To:

Jeffrey A. Cahn, Esquire
Associate Regional Counsel
U.S. EPA
77 West Jackson Boulevard, C-14J
Chicago, IL 60604-3590

Copy By Regular Mail To:

Jeffrey G. Collins, Esquire
Phifer & White, P.C.
1274 Library Street, Suite 500
Detroit, MI 48226

RECEIVED
NOV 14 2008

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY