

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

REGIONAL HEARING CLERK  
2007 MAY 23 PM 1:20

IN THE MATTER OF: )  
 ) Docket No. SDWA-05-2007-0003  
Environmental Disposal Systems , Inc. )  
Birmingham, Michigan )  
 )  
Respondent. )  
\_\_\_\_\_ )

**NOTICE AND ORDER**

Please take notice that the above matter filed pursuant to the Safe Drinking Water Act,, 42 U.S.C. §§ 300f et seq., has been docketed. The undersigned has been designated as Presiding Officer to conduct administrative proceedings in accordance with 40 C.F.R. Part 22, “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” (“Consolidated Rules”). Subpart I of the Consolidated Rules, “Administrative Proceedings Not Governed by Section 554 of the Administrative Procedure Act” governs this matter.

Correspondence with, or service upon, the Presiding Officer shall be directed to:

Marcy A. Toney  
Presiding Officer  
U.S. Environmental Protection Agency Region 5  
77 West Jackson Blvd. (C-14J)  
Chicago, Il 60604-3590  
Phone: (312) 886-3186/Fax: (312) 886-0747

Please comply with the rule on *ex parte* communications found at 40 C.F.R. § 22.8 in any communications with the Presiding Officer. The Regional Hearing Clerk maintains the administrative record for this proceeding under § 22.5 of the Consolidated Rules. The original of all submissions shall be sent to the Regional Hearing Clerk and copies, including any attachments, shall be sent to the opposing party and to the Presiding Officer.

While it is the Agency’s policy to encourage settlement of proceedings without the necessity of a formal hearing, please be advised that the continuation of settlement negotiations

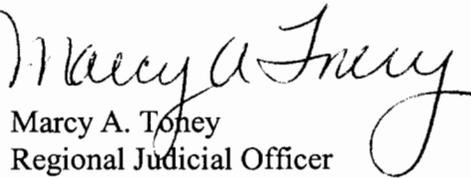
will not necessarily provide good cause for extensions of any deadlines set in this case.

A telephone conference is scheduled in this matter for **Thursday, June 7, 2007, at 2:00 p.m. (CDT)**. Counsel should be prepared to give a brief statement of the case and the issues in dispute, and report on the status (but not the substance) of any settlement discussions that may be underway. Counsel are requested to call (866) 299-3188 at that time. The conference code is 312 886 6771.

Please contact Darlene Weatherspoon at (312) 886-6823 if you are unable to participate at that time.

SO ORDERED.

Dated: May 23, 2007

  
Marcy A. Toney  
Regional Judicial Officer

REGIS. CLERK  
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In the Matter of Environmental Disposal Systems, Inc.,  
Respondent  
Docket No. SDWA-05-2007-0003

CERTIFICATE OF SERVICE

I certify that the foregoing Order, dated May 23, 2007, was sent this day in the following manner:

Original hand delivered to:

Regional Hearing Clerk  
U.S. Environmental Protection  
Agency, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Copy hand delivered to  
Attorney for Complainant:

Erik H. Olson  
Associate Regional Counsel  
U. S. Environmental Protection  
Agency, Region 5  
77 West Jackson Boulevard (C-14J)  
Chicago, IL 60604-3590

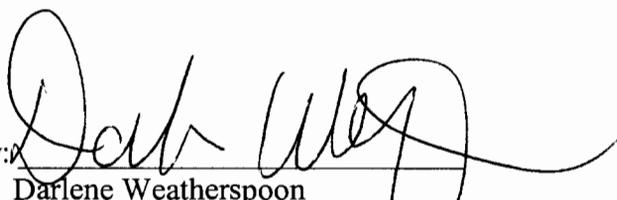
Copy by U.S. Mail First Class and  
fax ((517) 332-4122) to:

Charles R. Toy  
Farhat & Story, P.C.  
1003 North Washington Avenue  
Lansing, MI 48906-4868

Dated: \_\_\_\_\_

5/23/07

By: \_\_\_\_\_



Darlene Weatherspoon  
Administrative Support Assistant