

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

E MATTER OF)
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Department of)
In's Affairs,) DOCKET NO. RCRA-02-2008-7507
)
)
RESPONDENT)

PREHEARING ORDER

As you previously have been notified, I have been designated as the Chief Administrative Law Judge to preside in the above captioned matter. This proceeding arises under the authority of Section 9006 of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901 *et seq.*, and is governed by the promulgated Rules of Practice Governing the Administrative Adjudication of Civil Penalties and the Revocation/Termination or Suspension of Permits (the "Rules of Practice"), 40 C.F.R. §§ 22.1-22.19. The parties are advised to familiarize themselves with both the applicable statute(s) and the Rules of Practice.

The United States Environmental Protection Agency ("EPA") policy, set forth in the Rules of Practice at Section 22.18(b), 40 C.F.R. § 22.18(b), encourages settlement of a proceeding without the necessity of a formal hearing.^{1/} The benefits of a negotiated settlement may far outweigh the uncertainty, time, and expense associated with a litigated proceeding.

The parties are directed to hold a settlement conference on or before **July 31, 2009**, to attempt to reach an amicable resolution of this matter. See Section 22.4(c)(8) of the Rules of Practice.

In response to an inquiry from this office, Complainant is invited to participate in the Alternate Dispute Resolution ("ADR") services offered by this office.