



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of: )
RE/MAX SUBURBAN REAL ESTATE, ) Docket No. TSCA-06-2008-6103
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 May 7, 2009, the Neutral Judge terminated the Alternative Dispute Resolution Process in this case, noting that the parties were in violation of her directive issued on March 27, 2009, to file either the fully executed Consent Agreement and Final Order or a Status Report by April 30, 2009. As such, the current status of this matter as being settled or not, cannot be determined. Therefore, the Complainant is hereby ORDERED to file a Status Report regarding settlement within 10 days of this Order. FAILURE TO SUBMIT THIS STATUS REPORT IN A TIMELY MANNER WILL RESULT IN ENTRY OF AN ORDER DISMISSING THIS MATTER WITH PREJUDICE.

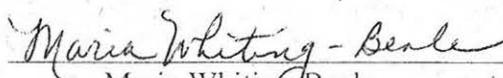
[Handwritten signature]
Susan L. Biro
Chief Administrative Law Judge

Dated: May 11, 2009
Washington, D.C.

In the Matter of RE/MAX SUBURBAN REAL ESTATE, Respondent  
Docket No. TSCA-06-2008-6103

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated May 11, 2009, was sent this day in the following manner to the addressees listed below.

  
Maria Whiting-Beale  
Staff Assistant

Dated: May 12, 2009

Original And One Copy By Pouch Mail To:

Lorena S. Vaughn  
Regional Hearing Clerk  
U.S. EPA  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

Copy By Pouch Mail To:

Rebekah C. Reynolds, Esquire  
Office of Regional Counsel (RC-ER)  
U.S. EPA  
1445 Ross Avenue  
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Copy By Regular Mail To:

Steve Crowe, Owner  
RE/MAX SUBURBAN REAL ESTATE  
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