



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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In the Matter of:)
Advanced Recovery, Inc.,)
Respondent)

Docket No. RCRA-02-2013-7106

NOTICE OF HEARING AND SCHEDULING ORDER

A Prehearing Order was issued in this matter on March 10, 2014, and the deadlines therein were extended by Orders dated April 14 and May 21, 2014. Complainant filed its Initial Prehearing Exchange on April 30, 2014, Respondent filed its Prehearing Exchange on May 14, 2014, and Complainant filed its Rebuttal Prehearing Exchange on June 4, 2014. There are no pending motions. Therefore, this matter may be scheduled for hearing.

In its Initial Prehearing Exchange, Complainant requests the hearing be held in New York City (New York County) and estimates that it will require two days to present its direct case. Respondents have not set forth a preferred location for the hearing, nor an estimate of the time it will need to present its direct case.

Complainant shall file Status Reports as to the status of any settlement between the parties, which shall not include any specific terms of settlement, on or before July 11, 2014, and August 1, 2014.

All non-dispositive prehearing motions, such as motions for subpoenas, motions to supplement a prehearing exchange and motions in limine, must be filed on or before August 15, 2014.

On or before August 22, 2014, the parties shall file a Joint Set of Stipulated Facts, Exhibits and Testimony. The time allotted for the hearing is limited. Therefore, the parties must make a good faith effort to stipulate as much as possible to matters that cannot reasonably be contested so that the hearing can be concise and focused solely on those matters that can only be resolved after a hearing.

The parties may, if they wish, file prehearing briefs on or before **August 29, 2014**. If filed, Complainant's brief should specifically state each count of the Complaint and each claim therein that will be tried at the hearing and indicate which counts and claims will not. If filed, Respondent's brief should identify each of the defenses Respondent intends to pursue at the hearing.

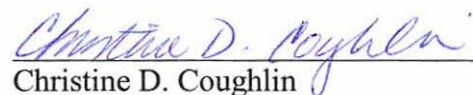
The hearing in this matter shall begin promptly at 9:00 a.m. on **Tuesday, September 23, 2014**, and shall continue if necessary through September 26, 2014, at the following location:

**Jacob K. Javits Federal Building
Courtroom 208
26 Federal Plaza
New York, NY 10278**

Individuals requiring special accommodations at the hearing, including wheelchair access, should contact the Headquarters Hearing Clerk, Sybil Anderson, (202) 564-6261, as soon as possible so that appropriate arrangements can be made. A staff attorney for the undersigned, Adrienne Fortin, can be contacted should you have any procedural questions or questions about what to expect at the hearing, at (202) 564-7862 or fortin.adrienne@epa.gov.

RESPONDENT IS ADVISED THAT FAILURE TO APPEAR AT THE HEARING, WITHOUT GOOD CAUSE HAVING BEEN SHOWN, MAY RESULT IN THE ENTRANCE OF DEFAULT JUDGMENT AGAINST IT.

IF EITHER PARTY DOES NOT INTEND TO ATTEND THE HEARING, OR HAS GOOD CAUSE FOR NOT BEING ABLE TO ATTEND THE HEARING AS SCHEDULED, IT SHALL NOTIFY THE UNDERSIGNED AT THE EARLIEST POSSIBLE MOMENT.



Christine D. Coughlin
Administrative Law Judge

Date: June 11, 2014
Washington, D.C.

In the Matter of *Advanced Recovery, Inc.*, Respondent.
Docket No. RCRA-02-2013-7106

CERTIFICATE OF SERVICE

I hereby certify that true copies of this Notice of Hearing and Scheduling Order, issued by Christine D. Coughlin, Administrative Law Judge, in Docket No. RCRA-02-2013-7106, were sent to the following parties on this 11th day of June 2014, in the manner indicated:



Mary Angeles
Lead Legal Assistant

Original and One Copy by Hand Delivery to:

Sybil Anderson
Headquarters Hearing Clerk
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Copy by Electronic and Regular Mail to:

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Dated: June 11, 2014
Washington, DC