

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

**In the Matter of:** )  
 )  
**Borough of Norristown,** ) **Docket No. TSCA-03-2010-0130**  
 )  
**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, 40 C.F.R. §22.1 et seq., ("Rules"). The parties are advised to familiarize themselves with the applicable statute(s) and the Rules.

Prior to this designation, the parties engaged in Alternative Dispute Resolution (ADR) in an effort to resolve this matter by settlement. On December 16, 2010, the government filed a Status Report wherein it stated that it has reached an agreement in principle with the Respondent, reduced the agreement to writing, and transmitted it to Respondent. The government further advised that it will file the Consent Agreement with the Regional Hearing Clerk once it is signed by the parties.

Accordingly, the parties will be given a brief opportunity to complete the settlement process on their own prior to engaging in the prehearing exchange process. Therefore, the parties are hereby **ORDERED** to file the fully executed Consent Agreement and Final Order (CAFO) memorializing their settlement no later than **January 17, 2011, with a copy contemporaneously sent to the undersigned by facsimile or mail.**

**FAILURE TO FILE THE CAFO IN A TIMELY MANNER MAY RESULT IN ENTRY OF AN ORDER OF DISMISSAL OR DEFAULT, AS APPROPRIATE, WITHOUT FURTHER NOTICE.**



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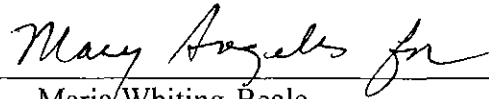
Susan L. Biro  
Chief Administrative Law Judge

Dated: January 3, 2010  
Washington, D.C.

In the Matter of Borough of Norristown, Respondent  
Docket No. TSCA-03-2010-0130

**CERTIFICATE OF SERVICE**

I certify that a true copy of the **Initial Prehearing Order**, dated January 3, 2011, 2011, was sent this day in the following manner to the addressees listed below:



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Maria Whiting-Beale  
Staff Assistant

Dated: January 3, 2011

Original and One Copy by Pouch Mail to:

Lydia Guy  
Regional Hearing Clerk  
U.S. EPA / Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

One Copy by Pouch Mail to:

Rodney Travis Carter, Esq.  
Assistant Regional Counsel  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

One Copy by Regular Mail to:

David Sander, Esq.  
Friedman-Schuman, PC  
101 Greenwood Avenue  
Jenkinstown, PA 19046-2636

Dated: January 3, 2011  
Washington, DC