



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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In the Matter of:)
)
City of Portsmouth, Virginia,) Docket No. CWA-03-2014-0240
)
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 October 31, 2014, Complainant's counsel advised this Tribunal that the parties had reached an agreement in principle to settle this matter, but to date have yet to file their Consent Agreement and Final Order (CAFO). Therefore, the Complainant is hereby ORDERED to file the fully executed Consent Agreement and Final Order memorializing the settlement no later than December 1, 2014, with a copy contemporaneously sent to the undersigned by facsimile and mail.

FAILURE TO SUBMIT THE CONSENT AGREEMENT IN A TIMELY MANNER MAY RESULT IN ENTRY OF AN ORDER OF DISMISSAL WITH PREJUDICE OR DEFAULT, AS APPROPRIATE, WITHOUT FURTHER NOTICE.


Susan L. Biro
Chief Administrative Law Judge

Dated: November 13, 2014
Washington, D.C.

In the Matter of City of Portsmouth, Virginia, Respondent
Docket No. CWA-03-2014-0240

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated November 13, 2014, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: November 13, 2014

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