



# Office of Administrative Law Judges



[Recent Additions](#) | [Contact Us](#)    **Search:**    All EPA    This Area

You are here: [EPA Home](#) » [Administrative Law Judges Home](#) » [Decisions & Orders](#) » [Orders 1998](#)

Decisions & Orders

About the Office of Administrative Law Judges

Statutes Administered by the Administrative Law Judges

Rules of Practice & Procedure

Environmental Appeals Board

Employment Opportunities

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

### BEFORE THE ADMINISTRATOR

IN THE MATTER OF	)	
	)	
CITY OF ROCHESTER, MI,	)	DOCKET NO. 5-CWA-97-
026	)	
	)	
	)	
	)	
	)	
RESPONDENT	)	


#### ORDER DENYING COMPLAINANT'S MOTION FOR ACCELERATED DECISION

The Complainant's Motion for Accelerated Decision dated November 19, 1998, is denied as untimely. The hearing in this matter is scheduled to begin on December 1, 1998, in Lansing, Michigan. The Complainant's filing of the motion for accelerated decision at this late date does not provide sufficient time to allow for a response from the Respondent and a decision by the Administrative Law Judge in advance of the hearing. See Sections 22.07, 22.16 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. §§ 22.07, 22.16.

The parties are encouraged, however, to reach stipulations to undisputed facts in order to narrow the issues for hearing. <sup>(1)</sup> The Regional Hearing Clerk has confirmed that the hearing, which is scheduled to begin on December 1, 1998, and to continue if necessary through December 3, 1998, will be held at the Post Office Federal Building (Across from State Capital), 315 W. Allegan, Basement Level Conference Room, in Lansing, Michigan.

Original signed by undersigned

\_\_\_\_\_  
Barbara A. Gunning  
Administrative Law Judge



Dated: 11-20-98  
Washington, DC

1. The Order Rescheduling Hearing entered on July 29, 1998, directed the parties to file a joint set of stipulated facts, exhibits, and testimony on or before November 13, 1998.

-

---

[EPA Home](#) | [Privacy and Security Notice](#) | [Contact Us](#)

file:///Volumes/KINGSTON/Archive\_HTML\_Files/rocheste.htm  
[Print As-Is](#)

Last updated on March 24, 2014