## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## BEFORE THE ADMINISTRATOR

In the Matter of		
Robinson Concrete, Inc., d//ba	) Docket No. CWA-02-2009-340	4
Franklin Street Ready Mix Facility,	)	
Robinson Concrete, Inc. Franklin Street	)	
Pit Sand and Gravel Mine and Vitale		
Ready Mix Concrete, Inc.	)	
	1. ) The state of	
Respondent	)	

## Order of Designation

Chief Administrative Law Judge Susan L. Biro, Environmental Protection Agency, Washington, DC, is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 309(g)(2)(B) of the Clean Water Act ("CWA"), 33 U.S.C. §1319(g) (2)(B) and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits 40 CFR Part 22.

Susan L. Biro

Chief Administrative Law Judge

Dated: February 19, 2010 Washington, DC In the Matter of Robinson Concrete, Inc., d/b/a Franklin Street Ready Mix Facility, Robinson Concrete, Inc. Franklin Street Pit Sand and Gravel Mine and Vitale Ready Mix Concrete, Inc., Respondent Docket No. CWA-02-2009-3404

## CERTIFICATE OF SERVICE

I certify that the foregoing **Order Of Designation**, dated February 19, 2010, was sent this day in the following manner to the addressees listed below:

Maria Whiting Beale Staff Assistant

Dated: February 19, 2010

Original And One Copy To:

Karen Maples Regional Hearing Clerk U.S. EPA 290 Broadway, 16<sup>th</sup> Floor New York, NY 10007-1866

Copy By Pouch Mail To:

Melva J. Hayden, Esquire Assistant Regional Counsel U.S. EPA 290 Broadway 16<sup>th</sup> Floor New York, NY 10007-1866

Copy By Regular Mail To:

Amy K. Kendall, Esquire Hiscock & Barclay, LLP 2000 HSBC Plaza 100 Chestnut Street Rochester, NY 14604