



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Clean Harbors Buttonwillow, LLC) Docket No. RCRA-09-2015-0011
)
Respondent.)

NOTICE OF HEARING ORDER

A Prehearing Order was issued in this matter on December 16, 2015. Complainant filed its Initial Prehearing Exchange on February 5, 2016, Respondent filed its Prehearing Exchange on February 18, 2016, and Complainant filed its Rebuttal Prehearing Exchange on February 26, 2016. No additional motions are pending. Therefore, this matter is ready to be scheduled for hearing.

Pursuant to the procedural rules governing this proceeding, set forth at 40 C.F.R. Part 22, I am responsible for scheduling the hearing and determining an appropriate location for the hearing, consistent with 40 C.F.R. §§ 22.21 and 22.19(d). I am also responsible for regulating the course of the hearing consistent with 40 C.F.R. § 22.4. Accordingly, prehearing filing deadlines and the hearing in this matter are scheduled as follows.

Settlement Status Reports. Complainant is directed to file Status Reports as to the status of any settlement negotiations between the parties, *which shall not include any specific terms of settlement*, on or before **April 15, 2016**.

Joint Stipulations. On or before **May 13, 2016**, 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 an evidentiary hearing.

Prehearing Conference. A prehearing conference will be scheduled in advance of the hearing and conducted by a staff attorney.

Prehearing Briefs. The parties may, if they wish, file prehearing briefs on or before **May 27, 2016**. 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.

Hearing. The hearing in this matter shall begin promptly at **9:00 on Monday, June 13, 2016**, and shall continue if necessary through **Friday, June 17, 2016**, at the following location:

**U.S. District Court
Northern District of California
Courtroom D
450 Golden Gate Ave
San Francisco, CA 94102**

Individuals requiring special accommodations at the hearing, including wheelchair access and translation services, must contact the Headquarters Hearing Clerk, Sybil Anderson, at (202) 564-6261, no later than 30 days prior to the scheduled hearing, so that appropriate arrangements can be made. A staff attorney for the undersigned, Ryan Yaeger, can be contacted should you have any procedural questions or questions about what to expect at the hearing, at (202) 564-4898 or yaeger.ryan@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.



Susan L. Biro
Chief Administrative Law Judge

Date: February 29, 2016
Washington, D.C.

In the Matter of Clean Harbors Buttonwillow LLC, Respondent
Docket No. RCRA-09-2015-0011

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Notice of Hearing order**, issued by Chief Administrative Law Judge Susan L. Biro dated February 29, 2016, was served this day in the following manner to the addressees listed below.

Danielle Pope
Paralegal Specialist

Original And One Copy To:

Sybil Anderson
Headquarters Hearing Clerk
U.S. EPA
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Washington, DC 20460-2001

Copy By Regular Mail And E-Mail To:

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Dated: February 29, 2016
Washington, DC