UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of) Dependable Towing & Recovery,) Docket No. CWA-02-2011-3601 Inc., and David A. Whitehill,) Respondent)

ORDER OF REDESIGNATION

Administrative Law Judge M. Lisa Buschmann, Environmental Protection Agency, is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 309(g) of the Clean Water Act ("CWA"), 33 U.S.C. \$1319(g) and pursuant to 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 3, 2012 Washington, D.C. In the Matter of Dependable Towing & Recovery, Inc. & David Whitehill, Respondent Docket No. CWA-02-2011-3601

CERTIFICATE OF SERVICE

I certify that the foregoing **Order of Redesignation**, dated February 3, 2012 was sent this day in the following manner to the addressees listed below.

Maria Whiting-Berle Maria Whiting-Beale

Maria Whiting-Beale Staff Assistant

Dated: February 3, 2012

Original One Copy by Regular Mail to:

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

Copy by Regular Mail to:

Eduardo J. Gonzalez, Esquire Office of Regional Counsel U.S. EPA 290 Broadway, 16th Floor New York, NY 10007-1866

Deborah J. Chadsey, Esquire Kavinoky Cook, LLP 726 Exchange Street, Suite 800 Buffalo, NY 14210