



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the Matter of: )  
)  
PETROLEUM MARKETERS, INC., ) Docket No. CWA-03-2008-0103  
d/b/a APB Whiting Oil Co., )  
)  
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 August 1, 2008, the Neutral Judge terminated the Alternative Dispute Resolution Process in this case and reported that the parties had reached a settlement in principle and were in the process of drafting a Consent agreement and Final Order. Therefore, the parties are hereby ORDERED to file their fully executed Consent Agreement and Final Order memorializing their settlement no later than September 5, 2008, 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.**

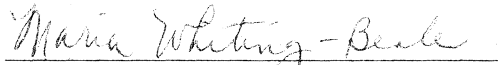
  
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Susan L. Biro  
Chief Administrative Law Judge

Dated: August 5, 2008  
Washington, D.C.

In the Matter of Petroleum Marketers, Inc., d/b/a APB Whiting Oil Co., Respondent  
Docket No. CWA-03-2008-0103

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated August 5, 2008, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale  
Staff Assistant

Dated: August 5, 2008

Original And One Copy By Pouch Mail To:

Lydia A. Guy  
Regional Hearing Clerk (3RC00)  
U.S. EPA  
1650 Arch Street  
Philadelphia, PA 19103-2029

Copy By Pouch Mail To:

John J. Monsees, Esquire  
Assistant Regional Counsel (3RC42)  
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Copy By Regular Mail To:

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