

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:

CHILKOOT FISH AND CAVIAR, INC.,

Respondent

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Docket No. CWA-10-2009-0232

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, 40 C.F.R. §22.1 et seq., (“Rules”). The parties are advised to familiarize themselves with the applicable statute(s) and the Rules.

On November 27, 2009, counsel for Complainant United States Environmental Protection Agency (EPA) sent an e-mail to my legal staff assistant, declining the invitation to engage in Alternative Dispute Resolution and stating that the Complainant and Respondent “have reached an agreement on EPA’s claims and intend to file a Consent Agreement and Final Order shortly.”

Accordingly, the parties will be given a brief opportunity to complete the settlement process on their own prior to engaging in the prehearing exchange process. Therefore, the parties are hereby **ORDERED** to file the fully executed Consent Agreement and Final Order (CAFO) memorializing their settlement no later than January 15, 2010, with a copy contemporaneously sent to the undersigned by facsimile or mail.

FAILURE TO FILE THE CAFO IN A TIMELY MANNER MAY RESULT IN ENTRY OF AN ORDER OF DISMISSAL OR DEFAULT, AS APPROPRIATE, WITHOUT FURTHER NOTICE.



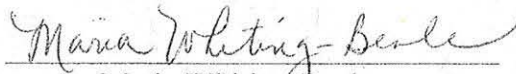
Susan L. Biro
Chief Administrative Law Judge

Dated: December 11, 2009
Washington, D.C.

In the Matter of Chilkoot Fish and Caviar, Inc., Respondent
Docket No. CWA-10-2009-0232

CERTIFICATE OF SERVICE

I certify that the foregoing **Initial Prehearing Order**, dated December 11, 2009, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: December 11, 2009

Original And One Copy By Pouch Mail To:

Carol D. Kennedy
Regional Hearing Clerk
U.S. EPA
1200 Sixth Avenue, ORC-158
Seattle, WA 98101

Copy By Pouch Mail To:

Cara Steiner-Riley, Esquire
Assistant Regional Counsel
U.S. EPA
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