

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
West Virginia Steel) Docket No. EPCRA-III-134
Corporation,)
)
Respondent)

ORDER GRANTING MOTION FOR ACCELERATED DECISION WITH
RESPECT TO THE ISSUE OF LIABILITY AND EXTENDING
TIME FOR FILING PREHEARING EXCHANGES

By motion dated July 21, 1994, counsel for the Complainant, the Environmental Protection Agency, seeks an accelerated decision against the Respondent as to liability and penalty. The Complainant notes that the Respondent admitted all sixteen allegations contained in the Complaint.

Review of the Respondent's answer to the Complaint confirms that the Respondent has admitted to the allegations which form the basis of its liability. However, the answer does not suggest that the Respondent agrees with the \$16,910 penalty proposed. The answer instead requests an informal settlement conference to resolve the case. In these circumstances, it appears that the level of penalty may remain an issue. Accordingly, the parties are urged to attempt to resolve this matter through good faith negotiations. To allow sufficient time for settlement discussions to take place, I will extend the time for filing the prehearing exchanges.

Initial prehearing exchanges shall be filed on or before October 28, 1994, with replies due on or before November 17, 1994. Of course, the prehearing exchanges shall be limited to the penalty issue.

The motion for accelerated decision is granted with respect to the issue of liability.



Jon G. Lotis
Acting Chief Administrative Law Judge

Dated: September 13, 1994
Washington, D.C.

IN THE MATTER OF WEST VIRGINIA STEEL CORPORATION, Respondent
Docket No. EPCRA-III-134

CERTIFICATE OF SERVICE

I certify that the foregoing Order Granting Motion For Accelerated Decision With Respect To The Issue Of Liability And Extending Time For Filing Prehearing Exchange, dated September 13, 1994, was sent in the following manner to the addressees listed below:

Original by Regular Mail to:

Lydia A. Guy
Regional Hearing Clerk
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Dated: September 13, 1994
Washington, D.C.