STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS DEPARTMENT OF ENVIRONMENTAL MANAGEMENT ADMINISTRATIVE ADJUDICATION DIVISION

RE: VINCENT TOSCANO AAD NO. 92-012/ISA APPLICATION NO. 8963-217, 218, AND 219

FINAL ORDER OF DEFAULT

This matter came before the Hearing Officer for a status conference on March 17, 1995 after several unsuccessful attempts by AAD to obtain the status of this matter from the Respondent Vincent Toscano failed to appear or otherwise apprise the Hearing Officer of his inability to appear at said status conference. On March 20, 1995, this Hearing Officer issued a Conditional Order of Default affording Applicant Vincent Toscano until March 28, 1995 to show good cause in writing why a Final Order of Default should not enter. As of the date of this order, no objection to the Conditional Order of Default has been received, nor has any correspondence been received by the Administrative Adjudication Division in response to the Conditional Order of Default.

Therefore, it is hereby

ORDERED

- 1. That Applicant Vincent Toscano is deemed to have waived his right to an adjudicatory hearing concerning the above-referenced ISDS applications.
- 2. This Final Order of Default constitutes a final administrative adjudication of the above-referenced application appeals.
- The Applicant may contact Bonnie L. Stewart, Clerk of the AAD to institute procedures for the return of the balance of his hearing appeal fee.

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Entered as an Administrative Order this ______ day of April, 1995.

(All Laple Kathleen M. Lanphear Chief Hearing Officer Department of Environmental Management Administrative Adjudication Division One Capitol Hill, Third Floor Providence, Rhode Island 02908 401-277-1357

Entered as a Final Agency Order this ______ day of April, 1995.

Entered as a Final Agency Order this _______ day of Director Department of Environmental Management

CERTIFICATION

9 Hayes Street

I hereby certify that I caused a true copy of the within order to be forwarded, via regular mail, postage prepaid to John P. Toscano, Jr., Esq., 23 Canal Street, Westerly, RI 02891 and via interoffice mail to Mary B. Shekarchi, Esq., Office of Legal Services, 9 Hayes Street, Providence, RI 02908 on this ______ day of April, 1995.

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Providence, Rhode Island 02908