

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

**RE: SPEEDY PETROLEUM, INC. / SPEEDY AUTO
REPAIR, INC. / DIKRAN TASHIAN
NOTICE OF VIOLATION OC&I/LUST 99-0741B**

AAD No. 99-007/SRE

FINAL ORDER OF DEFAULT

This matter came before Hearing Officer Mary F. McMahon on July 21, 2000 for prehearing conference. Respondents failed to appear or otherwise apprise the Hearing Officer of their inability to appear at said conference. The Office of Compliance and Inspection ("OCI") moved for entry of a conditional order of default as to those violations not resolved in the Partial Consent Agreement.

On July 25, 2000 a Conditional Order of Default was entered against Respondents. The Order provided that, pursuant to paragraph number 11 on page 4 of the Prehearing Order, a seven (7) day conditional order was issued wherein Respondents had until August 1, 2000 to show good cause why a Final Order of Default should not enter and, as to those Violations not previously resolved in the Partial Consent Agreement, the Notice of Violation that was issued on December 7, 1999 become a compliance order. Respondents have not responded to the Conditional Order of Default.

FINDINGS OF FACT

1. The Prehearing Order issued to the parties on March 17, 2000 provided that: "Upon failure of a party to appear at the Prehearing Conference, the Hearing Officer shall sua sponte issue a seven (7) day Conditional Order of Dismissal/Default with prejudice which shall automatically become final unless objected to by the absent party, said objection stating the grounds for the failure to appear."
2. A prehearing conference was held on July 21, 2000.
3. Respondents failed to appear at the prehearing conference.
4. A Conditional Order of Default was issued against Respondents on July 25, 2000.
5. Pursuant to the Conditional Order, Respondents had until August 1, 2000 to show good cause why a Final Order of Default should not enter and, as to those Violations not previously resolved in the Partial Consent Agreement, the Notice of Violation issued on December 7, 1999 become a compliance order.
6. As of this date, Respondents have not responded to the Conditional Order of Default.

CONCLUSION OF LAW

Respondents have failed to show good cause why a Final Order of Default should not enter and, as to those Violations not previously resolved in the Partial Consent Agreement, the Notice of Violation issued on December 7, 1999 become a compliance order.

Wherefore, it is hereby

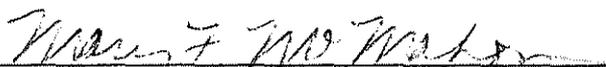
ORDERED

1. Respondents are deemed to have waived their rights to an adjudicatory hearing.
2. As to those Violations not previously resolved in the Partial Consent Agreement, the Notice of Violation shall become a compliance order immediately upon the entry of the Final Agency Order herein.

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Entered as an Administrative Order this 7th day of August, 2000
and herewith recommended to the Director for issuance as a Final Agency
Order.


Mary F. McMahon
Hearing Officer
Administration Adjudication Division
235 Promenade Street, Third Floor
Providence, RI 02908
(401) 222-1357

Entered as a Final Agency Order this 9th day of August 2000.


Jan H. Reitsma, Director
Department of Environmental Management
235 Promenade Street, 4th Floor
Providence, Rhode Island 02908

CERTIFICATION

I hereby certify that I caused a true copy of the within Order to be
forwarded by first-class mail, postage prepaid, to Michael Lepizzera,
Esquire, 462 Broadway, Providence, RI 02909; via interoffice mail to Brian
A. Wagner, Esquire, Office of Legal Services and Dean H. Albro, Chief, Office
of Compliance and Inspection, 235 Promenade Street, Providence, RI
02908 on this 9th day of August, 2000.


Brian L. Stewart