

2008 JAN 17 AM 9:16

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)
)
Saint Charles Wastewater)
Treatment Facility)
)
Respondent.)

DOCKET NO. CAA-05-2008-0003

**ORDER GRANTING MOTION FOR EXTENSION OF TIME AND
ORDER TO SHOW CAUSE**

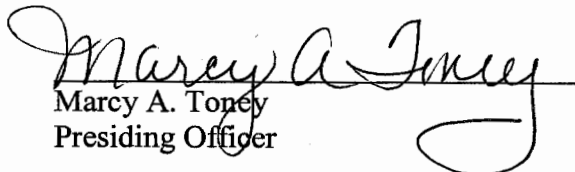
Pursuant to 40 C.F.R. § 22.7(b) and for good cause shown, the unopposed Motion for Extension of Time to File Answer filed by Respondent City of St. Charles is hereby GRANTED. Respondent shall have until February 13, 2008, to file its answer or otherwise plead in the above-captioned matter.

In addition, the Presiding Officer notes that section 22.5(c)(2) of the Consolidated Rules of Practice¹ requires that the first page of every filed document contain a caption identifying the respondent. 40 C.F.R. § 22.5(c)(2). In this matter, the caption of the Amended Complaint and the identity of the Respondent as named in the body of the Administrative Complaint are not consistent.

Complainant is hereby ORDERED to file, on or before January 30, 2008, an amended complaint with a corrected caption or to otherwise show cause why such an amended complaint should not be filed. If Complainant chooses to file an amended complaint, Respondent shall have 20 additional days from the date of service of the amended complaint to file its answer in accordance with section 22.14(c) of the Consolidated Rules, but in no case shall Respondent be required to answer an amended complaint before February 13, 2008.

IT IS SO ORDERED.

Date: January 17, 2008


Marcy A. Toney
Presiding Officer

¹ 40 C.F.R. Part 22.

IN THE MATTER OF Saint Charles Wastewater Treatment Facility, Respondent
Docket No. CAA-05-2008-0003

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CERTIFICATE OF SERVICE

I certify that the foregoing Order Granting Motion for Extension of Time and Order to Show Cause dated January 17, 2008, was sent this day in the following manner to the addressees:

Original hand delivered to:

Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Copy hand delivered to
Attorney for Complainant:

Richard W. Wagner
U.S. Environmental Protection
Agency, Region 5
Office of Regional Counsel
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

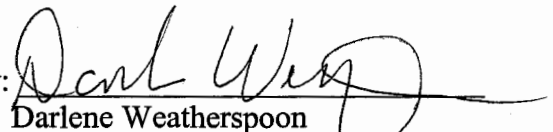
Copy by U.S. Mail
First Class to:

DrinkerBiddleGardnerCarton, LLP
Roy M. Harsch
Yesenia Villasenor-Rodriguez
191 N. Wacker Dr.
Chicago, IL 60606-1698

Dated:

1/17/08

By:


Darlene Weatherspoon
Administrative Program Assistant