

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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In the Matter of:)
)
) Docket No. RCRA-05-2011-0002
)
) DMI Automotive Inc.,)
) Howell, Michigan 48843,)
)
)
)
) Respondent.)
)
_____)

ORDER

By letter dated November 9, 2010, counsel for Respondent in this matter requested a 60-day extension of time to respond to the Complaint and Compliance Order filed on November 3, 2010. Counsel for Respondent states that a settlement in principal has been reached and that the additional time is needed to prepare a settlement agreement and define payment terms. Counsel for Complainant has communicated via email that Complainant does not oppose the extension request.

This matter is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation /Termination or Suspension of Permits, 40 C.F.R. Part 22. Counsel is advised that all requests for extension of time shall be made by motion. See 40 C.F.R. § 22.7(b). In addition, all communications to the Presiding Officer shall be made in writing, filed with the Regional Hearing Clerk and served on the other party. In this instance, Respondent's letter will be considered as a motion for extension of time.

Pursuant to 40 C.F.R. § 22.7(b) and for good cause shown, Respondent's unopposed motion for extension of time to answer is hereby GRANTED. Respondent shall have until **January 7, 2011**, to file its answer or otherwise plead in this matter.

SO ORDERED.

Dated: November 22, 2010


Marcy A. Toney
Regional Judicial Officer

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In the Matter of DMI Automotive Inc.,
Docket No. RCRA-05-2011-0002

CERTIFICATE OF SERVICE


I certify that the foregoing Order, dated November 22, 2010, was sent this day in the following manner:

Original hand delivered to: Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Copy hand delivered to
Attorney for Complainant: Andre Daugavietis
U. S. Environmental Protection
Agency, Region 5
Office of Regional Counsel
77 West Jackson Boulevard
Chicago, IL 60604-3590

Copy by U.S. Mail First Class to: Saulius K. Mikalonis
Plunkett Cooney
38505 Woodward Avenue
Bloomfield Hills, MI 48304

Dated: 11/22/2010

By: 
Mary Ortiz
Administrative Program Assistant