

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the matter of:)	Docket No. EPCRA-05-2015-0010
)	
Allegan Metal Finishing Co.)	Proceeding to Assess a Civil Penalty under
Allegan, Michigan)	Section 325(c)(1) of the Emergency Planning
)	and Community Right-to-Know Act of 1986
Respondent.)	
_____)	

**ORDER GRANTING IN PART AND DENYING IN PART RESPONDENT'S MOTION
FOR EXTENSION OF TIME TO FILE ANSWER**

Respondent Allegan Metal Finishing Company (AMFC) has filed motion for an extension of time to answer the complaint (Motion) in the above-captioned matter, seeking an indefinite extension of time in which to answer. EPA timely filed a response to the Motion, to which AMFC also timely replied. The Motion states that, if granted, AMFC would be willing to provide a status update by May 1, 2015.

AMFC was served with the Complaint on March 1, 2015. On March 15, its facility was completely destroyed by a fire. In support of its Motion, AMFC stated that it needs additional time to deal with the aftermath of the fire, including addressing public health and safety concerns, business and liability issues and assisting its former employees in finding new work. AMFC stated that EPA counsel was unwilling to agree to any extension of time. In its response, EPA stated its opposition to an indefinite extension of time, but believes that it had conveyed to AMFC that it would not oppose a request for an extension of 30 to 60 days. EPA specifically requested that AMFC be granted 30 additional days to file its answer. In its reply, AMFC reiterated its request for an indefinite extension of time and a status update on May 1, 2015.

Pursuant to 40 C.F.R. § 22.7(b) and for good cause shown, I am granting AMFC's motion for extension of time to file an answer; however, I am denying the indefinite nature of the request. **AMFC will have 60 days, or until May 30, 2015, to answer or otherwise plead in this matter.** In addition, **AMFC is ordered to file a status report and a new motion for an extension of time on or before May 1, 2015,** if it believes it will not meet the 60-day extension of time. Any such report and motion must provide a written justification and any documentation or other evidence why additional time is required.

Pursuant to 40 C.F.R. § 22.4(c)(10), the Regional Hearing Clerk is authorized to serve this Order by electronic mail and will also provide the Parties with a hard copy of the Order.

IT IS SO ORDERED.

Date: March 27, 2015


Ann L. Coyle
Regional Judicial Officer
U.S. EPA Region 5



In the matter of: Allegan Metal Finishing Co.
Docket No. EPCRA-05-2015-0010

CERTIFICATE OF SERVICE

I certify that I sent the foregoing **ORDER GRANTING IN PART AND DENYING IN PART RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE ANSWER** to the following people in the following manner:

Copy, by electronic mail:

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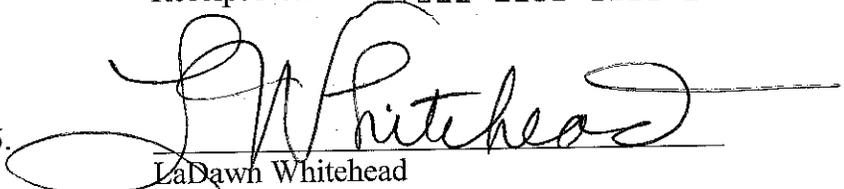
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Copy, by electronic mail and certified mail,
return-receipt requested, to counsel for
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Receipt No.: 7011 1150 0000 2640 7353

On this 27 day of March, 2015.


LaDawn Whitehead
Regional Hearing Clerk
U.S. EPA Region 5