

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 5


In the Matter of:)	Docket No. RCRA-05-2009-0019
)	
1810 W. Grace St. LLC)	
Chicago, Illinois)	Proceeding to Assess a Civil Penalty
ILD 981 777 998)	
)	
Respondent.)	Under Section 3008(a) of the
)	Resource Conservation and
)	Recovery Act, 42 U.S.C. § 6928(a)

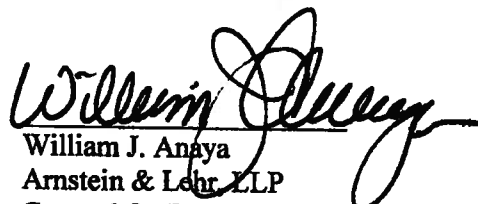
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Unopposed Joint Motion for Extension of Time
To File Prehearing Exchanges

Comes now Complainant, the Director of the Land and Chemicals Division, United States Environmental Protection Agency, and the Respondent, 1810 W. Grace St. LLC., by and through their counsel, pursuant to Rule 22.7(b) of the Consolidated Rules of Practice (40 C.F.R. § 22.7(b)) and respectfully requests a 30 day extension of time for Complainant and Respondent to file all initial Prehearing Exchanges, currently scheduled to be filed on May 27, 2010, and as good cause therefor states as follows:

Respondent and Complainant are actively engaged in settlement discussions and a resolution of this matter short of hearing is likely. Specifically, on May 14, 2010, at 5:10pm Respondent substantially increased its cash offer to settle this matter. Region 5 management is evaluating the offer, and expects to present a counter-offer very soon. If a settlement is reached, a CAFO will need to be drafted and signed by both parties which will take additional time.


Susan W. Prout
Associate Regional Counsel
U.S. EPA – Region 5


William J. Anaya
Arnstein & Lehr LLP
Counsel for Respondent

May 25, 2010

Case Name: In the Matter of 1810 W. Grace St., LLC
Docket No: RCRA-05-2009-2019

CERTIFICATE OF SERVICE

I certify that the foregoing **Unopposed Joint Motion for Extension of Time To File Prehearing Exchanges** dated May 25, 2010, was filed this day in the following manner to the addresses listed below:

Original and one copy by hand delivery to:


Ladawn Whitehead
Regional Hearing Clerk
U.S. EPA - Region 5
77 W. Jackson Blvd., E-13J
Chicago, IL 60604

Copy by Regular Mail and facsimile to:

Attorney for Complainant: William J. Anaya
Robert A. McKenzie, Esq.
Arnstein & Lehr, LLP
120 South Riverside Plaza, Suite 1200
Chicago, IL 60606-3109
Fax: 312-876-7309

Copy by Regular Mail and facsimile to

Presiding Judge The Honorable Susan L. Biro
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1200 Pennsylvania Ave., NW
Mail Code 1900L
Washington, DC 20005
Fax: 202-565-0044


Elizabeth Rosado
U.S. EPA
77 W. Jackson Blvd.,
Chicago, IL 60604

Dated: May 25, 2010

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