

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:)
)
)

Land O'Lakes, Inc.,)
Kiel, Wisconsin,)

Respondent.)
)
_____)

DOCKET NO. CERCLA-05-2007-0007
EPCRA-05-2007-0011 &
MM-05-2007-0003

JOINT MOTION FOR EXTENSION OF TIME

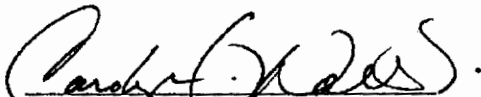
Pursuant to Sections 22.7 and 22.16 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), 40 C.F.R. Part 22, U.S. EPA Region 5 (Complainant) and Land O'Lakes, Inc. (Respondent) move for a six week extension of time for both parties to submit prehearing exchange documents. Section 22.7(b) of the Consolidated Rules provides that the Presiding Officer may grant an extension of time for filing any document if there is a showing of good cause and after consideration of prejudice to other parties.

The parties are engaged in active settlement negotiations in this matter. To date these negotiations have included the exchange of technical information requiring significant time to evaluate. The parties believe that additional time to continue those negotiations is in the best interest of both parties. Administrative Law Judge Spencer T. Nissen's July 9, 2007, Order requires Complainant and Respondent to file and exchange the parties' prehearing information in accordance with Rule 22.19 of the Consolidated Rules by August 3, 2007. By this Motion, the

parties respectfully request that the date for the exchange of prehearing information be extended until September 14, 2007.

If this Motion is granted and the case is settled, Complainant and Respondent intend to submit a signed Consent Agreement and Final Order no later than September 14, 2007. Should the parties be unable to reach settlement by that time, they will file and exchange their prehearing information. Both parties have agreed to and would not be prejudiced by the requested extension. Complainant and Respondent therefore respectfully request the granting of this extension.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Extension of Time was sent on this the 13th day of July, 2007, in the following manner to the below addressees:

Original and One Copy Hand delivered to:

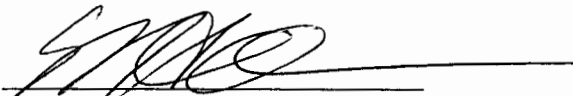
Sonja Brooks-Woodard
Regional Hearing Clerk
U.S. EPA - Region 5
77 West Jackson Boulevard, E-13J
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By fax and EPA Pouch Mail:

The Honorable Spencer T. Nissen, Administrative Law Judge
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