



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF: C-14J

December 1, 2010

VIA UNITED PARCEL SERVICE
NEXT BUSINESS DAY DELIVERY

Hon. Barbara Gunning
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1099 14th Street N.W.
Suite 350
Washington, D.C. 20005

Re: Mercury Vapor Processing Technologies, Inc. d/b/a River Shannon Recycling
Docket No. RCRA-05-2010-015

Dear Judge Gunning:

Enclosed please find a file-stamped copy of the following Complainant's Request for Status Conference, with a Certificate of Filing and Service. By copy of this letter, the Respondent is being served today by overnight delivery service.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas M. Williams".

Thomas M. Williams
Associate Regional Counsel

Enclosure

cc (w/ enclosure): Mr. Laurence Kelly

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

RECEIVED
U.S. EPA REGION 5
CLERK
2010 DEC -1 PM 3:27

IN THE MATTER OF:)
)
Mercury Vapor Processing) **DOCKET NO. RCRA-05-2010-0015**
Technologies Inc., a/k/a/ River Shannon)
Recycling)
13605 S. Halsted)
Riverdale, Illinois 60827)
U.S. EPA ID No.: ILD005234141,)
)
Respondent)
_____)

COMPLAINANT'S REQUEST FOR A STATUS CONFERENCE

The Complainant hereby requests that the Presiding Officer convene a status conference, to be conducted by telephone, at her convenience. This request is occasioned by the following:

1. As of November 10, 2010, the parties completed the prehearing exchange as required by 40 C.F.R. § 22.19 and the Presiding Officer's Order.
2. The Presiding Officer has set this matter for hearing on March 1, 2011.
3. Respondent's Prehearing Exchange includes evidence establishing that Respondent's principal, Laurence C. Kelly, is personally liable for the treatment of spent lamps without a RCRA permit. In view of that, Complainant has arranged for Mr. Kelly to receive a standard Pre-filing Notice of Liability letter contemporaneously with this Request.
4. As noted in Complainant's Initial Prehearing Exchange, Complainant learned after filing the Complaint that Respondent's principal, Laurence C. Kelly, is the president of a newly-organized corporation, S.L.R. Technologies, Inc.,

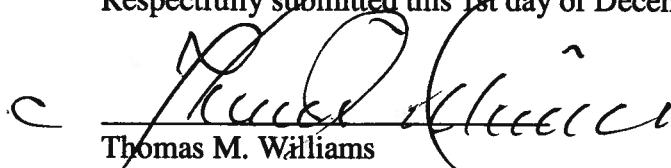
which currently engages in the unpermitted treatment of spent mercury lamps. Information gathered to date suggests the new corporation's activities are in material respects similar to, or the same as, those Respondent is alleged to have engaged in.

5. Based on the foregoing, Complainant intends to move for leave to amend the Complaint to add additional parties.
6. Complainant expects to complete her investigation of S.L.R. Technologies, Inc., in the next approximately thirty days, barring evasion or recalcitrance, and to move for leave to amend the Complaint promptly thereafter.

Complainant also expects then to be in a position promptly to supplement her Prehearing Exchange, so that this matter can proceed with dispatch.

Wherefore, Complainant respectfully requests a telephone conference, so that the Presiding Officer and the parties can discuss the appropriateness of a schedule for a Motion for Leave to Amend, a Motion for Accelerated Decision on Liability, and a rescheduled hearing. While Complainant intends the conference to be addressed to procedural matters, her attorneys are prepared to apprise the Presiding Officer more fully of the circumstances. For this purpose, Mr. Williams can be reached at (312) 886-0814, and Ms. Barton at (312) 886-7163.

Respectfully submitted this 1st day of December 2010,



Thomas M. Williams
Kasey Barton
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard, C-14J
Chicago, Illinois 60604

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

REGIONAL HEARING CLERK
U.S. EPA REGION 5

IN THE MATTER OF:)
)
Mercury Vapor Processing)
Technologies Inc., a/k/a/ River Shannon)
Recycling)
13605 S. Halsted)
Riverdale, Illinois 60827)
U.S. EPA ID No.: ILD005234141,)
)
Respondent)
_____)

2010 DEC -1 PM 3:27

DOCKET NO. RCRA-05-2010-0015

CERTIFICATE OF FILING AND SERVICE

I hereby certify that this day I caused the original and one copy of the foregoing Complainant's Request for Status Conference to be filed with the Region 5 Regional Hearing Clerk, and for copies of same to be served on the following persons, by the indicated methods:

By United Parcel Service, next business day delivery:

Honorable Barbara Gunning
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1099 14th Street N.W.
Suite 350
Washington, D.C. 20005

By United Parcel Service, next business day delivery:

Mr. Laurence Kelly
Mercury Vapor Processing Technologies, Inc.
7144 North Harlem Avenue
Suite 303
Chicago, Illinois 60631



Date: December 01, 2010

Nina Johnson
Administrative Program Assistant
United States Environmental Protection Agency
77 West Jackson Boulevard (C-14J)
Chicago, Illinois 60604