

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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In the Matter of:

Wisconsin Veneer and Plywood, Inc.
Mattoon, Wisconsin

Respondent.

Docket No. CAA-05-2008-0068

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Proceeding to Assess a Civil Penalty
Under Section 113(d) of the Clean Air
Act, 42 U.S.C. § 7413(d)

SECOND JOINT MOTION FOR EXTENSION OF TIME

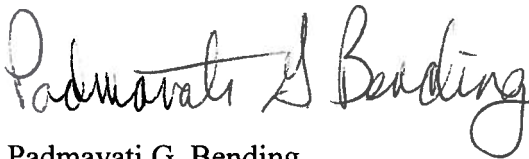
Padmavati Bending, Counsel for Complainant, Director of the Air and Radiation Division, U.S. Environmental Protection Agency, Region 5, Chicago, Illinois, (the "EPA") and Donald P. Gallo, Counsel for Respondent, Wisconsin Veneer and Plywood, Inc., Mattoon, Wisconsin ("Wisconsin Veneer") move this court for an Order extending the time by an additional 90 days for filing a CAFO or prehearing exchanges pursuant to the provisions of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. Part 22.

The basis for this motion is as follows: On November 22, 2008, Administrative Law Judge Susan L. Biro issued a Prehearing Order directing the Parties to engage in settlement discussions on or before December 19, 2008, and, among other things, file a Consent Agreement and Final Order by January 16, 2009. The Order also directed that Complainant's Initial Prehearing Exchange be submitted by January 16, 2009 and Respondent's Prehearing Exchange be filed by February 6, 2009. On or about December 16, 2008, the EPA filed its First Status Report in this matter indicating that the parties are actively discussing settlement. On December 31, 2008, the Parties jointly moved the Court requesting a 30 day extension of time to file the various documents set forth in the

Prehearing Order. This court granted that motion for extension of time on January 8, 2009.

The parties are continuing to evaluate information provided by the other party and actively working toward a settlement of this matter. However, both parties continue to need additional time to evaluate the complicated information that the parties are exchanging. The parties hereby jointly request a 90 day extension of time to the current deadlines. Such an extension would require the Complainant to file a fully executed Consent Agreement and Final Order (CAFO) or its Initial Prehearing Exchange on or before May 15, 2009, and, if a CAFO is not filed beforehand, the Respondent to file its Prehearing Exchange on or before June 5, 2009, and Complainant to file its Rebuttal Prehearing Exchange on or before June 19, 2009.

Respectfully submitted,



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CERTIFICATE OF SERVICE

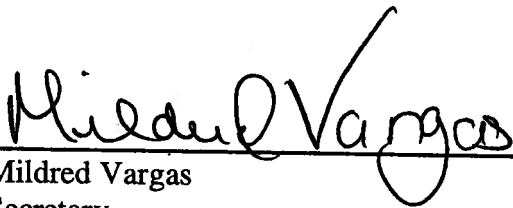
I hereby certify that today I filed personally with the Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, 77 West Jackson Boulevard (E-13J), Chicago, Illinois, 60604-3590, the original document entitled Second Joint Motion for Extension of Time for this civil administrative action, and that I issued to the Court and Respondent's Counsel by first class mail a copy of the original document:

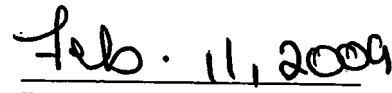
The Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. Environmental Protection Agency
Mail Code 1900L
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Mildred Vargas
Secretary


Date