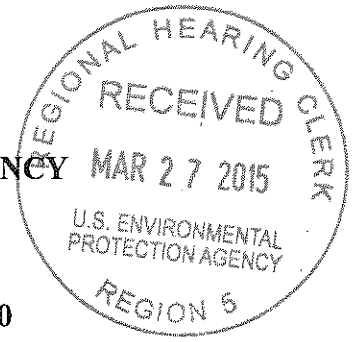


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5



In the Matter of: ) Docket No. EPCRA-05-2015-0010  
)  
Allegan Metal Finishing Company ) Proceeding to Assess a Civil Penalty Under  
Allegan, Michigan, ) 325(c)(1) of the Emergency Planning and  
) Community Right-to-Know Act of 1986  
Respondent. )  
\_\_\_\_\_ )

APPEARANCE

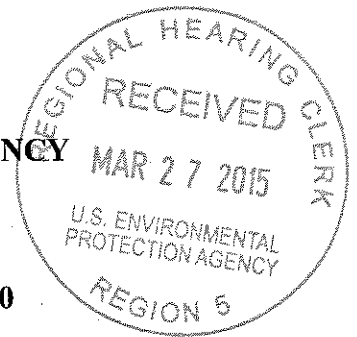
COMES NOW Steven P. Kaiser, Associate Regional Counsel, U.S. Environmental Protection Agency, Region 5, and enters his Appearance on behalf of the Complainant in the above-captioned matter. Mr. Kaiser, along with Mr. De Leon is authorized to receive service for Complainant relating to this proceeding.

Respectfully Submitted,

\_\_\_\_\_  
Steven P. Kaiser  
Office of Regional Counsel  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 353-3804  
kaiser.steven@epa.gov

Date: 03-27-15

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5



**In the Matter of:** ) **Docket No. EPCRA-05-2015-0010**  
)  
**Allegan Metal Finishing Company** ) **Proceeding to Assess a Civil Penalty Under**  
**Allegan, Michigan,** ) **325(c)(1) of the Emergency Planning and**  
) **Community Right-to-Know Act of 1986**  
**Respondent.** )  
)  
\_\_\_\_\_ )

**EXPEDITED RESPONSE TO RESPONDENT'S MOTION FOR EXTENSION OF TIME  
TO FILE ANSWER AND APPEARANCE**

On February 25, 2015, the United States Environmental Protection Agency (EPA) filed a Complaint against Allegan Metal Finishing Company (AMFCO) seeking to assess a civil penalty under Section 325(c)(1) of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), 42 U.S.C. § 11045(c)(1). Proof of service of the Complaint shows that AMFCO received the Complaint on March 1, 2015.

On March 24, 2015, AMFCO through its Attorneys filed a Motion for Extension of Time to File an Answer to Answer Complaint and Request for Formal Hearing (Motion). Respondent's Motion requests an "indefinite extension of time," in order to file an Answer to the Complaint.

EPA opposes the request for an "indefinite extension of time," because it is unreasonable under any circumstance. As referenced in paragraph 11 of AMFCO's Motion, a conversation did occur between Jose C. de Leon, Complainant's Counsel and an associate of Mr. Charles M. Denton, AMFCO's Counsel. At the time of the conversation, Mr. de Leon stated that he was in opposition to an "indefinite extension of time," but told Counsel for Respondent that he would not oppose a request for an extension of thirty to sixty days.

Wherefore, EPA opposes an "indefinite extension of time" within which to answer the complaint and respectfully requests that the Regional Hearing Officer deny AMFCO's Motion. EPA respectfully requests that AMFCO be granted a thirty day extension of time in which to answer. .

This Motion also serves as notice that Steven P. Kaiser is also entering an Appearance on behalf of the Complainant in the above matter.



Respectfully Submitted,

Jose C. de Leon  
Steven P. Kaiser  
Office of Regional Counsel  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Date:

03-27-15

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

**CERTIFICATE OF SERVICE**

I certify that I sent the foregoing **APPEARANCE** and **EXPEDITED RESPONSE TO RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE ANSWER** to the following people in the following manner:

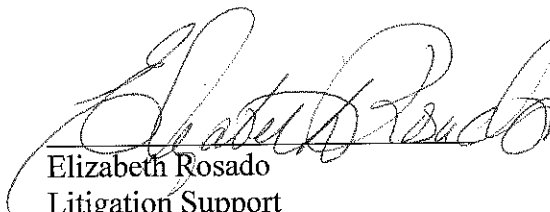
Copy, by electronic mail and EPA  
Internal mail to:

Ann L. Coyle  
Regional Judicial Officer  
U.S. EPA, Region 5  
[Coyle.ann@epa.gov](mailto:Coyle.ann@epa.gov)

Copy, by electronic mail and certified  
Mail, return-receipt requested, to counsel  
For Respondent:

Charles M. Denton  
Barnes & Thornburg LLP  
171 Monroe Avenue, N.W.  
Suite 1000  
Grand Rapids, Michigan 49503  
[Charles.denton@btlaw.com](mailto:Charles.denton@btlaw.com)  
Receipt No:

On the 27 day of March 2015

  
Elizabeth Rosado  
Litigation Support  
U.S. EPA, Region 5