

DTE Energy Company  
2000 2nd Ave., Detroit, MI 48226-1279



**WILLIAM S BLAIR, ESQ.**  
Legal Department  
(313) 235-3724

November 7, 2006

Sonja Brooks-Woodard  
Regional Hearing Clerk (E-13J)  
US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

Re: Respondent's Motion for Extension of time to File Answer  
Docket No.: CERCLA-05-2007-0002  
EPCRA-052007-0001  
Ref. No.: MM-05-2007-0001

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Dear Ms. Brooks-Woodard:

Enclosed for filing please find The Detroit Edison Company's Motion for Extension of Time to File Answer in the above-referenced case. Also included is a Proof of Service upon all parties.

Yours truly,

A handwritten signature in black ink, appearing to read "William S. Blair".

William S. Blair, Esq.

WSB/ksm  
Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of )  
The Detroit Edison Company )  
River Rouge, Michigan, )  
Respondent )  
\_\_\_\_\_ )

Docket No: CERCLA-05-2007-0002  
EPCRA-05-2007-0001  
Ref. No: MM-05-2007-0001

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**RESPONDENT'S MOTION FOR  
EXTENSION OF TIME TO FILE ANSWER**

NOW COMES Respondent, THE DETROIT EDISON COMPANY, ("Detroit Edison" or "Respondent") by and through its attorneys, and pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22, moves for an extension of time to file its Answer in the above styled and captioned matter and Respondent in support thereof states the following:

1. The Complaint is based on events which occurred on or about May 6, 2003.
2. The Complaint is dated October 20, 2006 and was received by Detroit Edison on or about October 23, 2006.
3. Detroit Edison's Answer is due on or before November 22, 2006.
4. During the intervening three-year period between the dates of the event and the date the Complaint was received Detroit Edison has experienced a turnover in key personnel including their responsible legal counsel.
5. This turnover in key personnel has required Detroit Edison to expend considerable time and effort to re-familiarize itself with the factual circumstances of the

event, adversely impacting its ability file its Answer to this Complaint within the prescribed time period.

6. Detroit Edison has spoken with representatives of the Regional Counsel and the Chemical Emergency Preparedness and Prevention Section of the USEPA and has requested an informal settlement conference regarding the subject Complaint.

7. The requested informal settlement conference is scheduled for December 13, 2006 and Detroit Edison has a good faith belief that the requested conference will occur on or about this date absent good and sufficient cause necessitating adjournment.

8. Detroit Edison has a further good faith belief that the issues raised in this Complaint can be successfully resolved by mutual agreement at, or as the direct result of, said informal settlement conference and without further substantial involvement of the Judicial Hearing Officer.

9. The Associate Regional Counsel assigned to this matter has reviewed Respondent's proposed Motion contained herein and has stated that the Agency does not object to the requested extension.

Wherefore, Detroit Edison respectfully requests that the Judicial Hearing Officer grant this Motion for Extension of Time to File Answer until January 12, 2007, 30 days after the scheduled date of the informal settlement conference occurs.

Dated: November 7, 2006

**THE DETROIT EDISON COMPANY**



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William S. Blair (P66838)  
Attorney for Respondent  
2000 Second Ave., 688 WCB  
Detroit, Michigan 48226

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

In the Matter of	)	
The Detroit Edison Company	)	Docket No: CERCLA-05-2007-0002
River Rouge, Michigan,	)	EPCRA-05-2007-0001
Respondent	)	
_____	)	Ref. No: MM-05-2007-0001

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**PROOF OF SERVICE**

STATE OF MICHIGAN    )  
                                   ) ss.  
 COUNTY OF WAYNE    )

KENYETTA S. MITCHELL, being duly sworn, deposes and says that on the 7<sup>th</sup> day of November, 2006 she served a copy of THE DETROIT EDISON COMPANY'S MOTION FOR EXTENSION OF TIME TO FILE ANSWER, along with Proof of Service upon the parties listed on the attached service list by depositing same in the United States mail bearing postage fully prepaid.

  
 \_\_\_\_\_  
 KENYETTA S. MITCHELL

Subscribed and sworn to before  
 me this 7<sup>th</sup> day of November, 2006

  
 \_\_\_\_\_  
 Notary Public

KARYN BETH TEAL  
 NOTARY PUBLIC, STATE OF MI  
 COUNTY OF MACOMB  
 MY COMMISSION EXPIRES Jul 21, 2011  
 ACTING IN COUNTY OF Wayne

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

Docket No.: CERCLA-05-2007-0002  
EPCRA-052007-0001

Ref. No.: MM-05-2007-0001

**SERVICE LIST**

**US EPA REGION 5**

Marcy Toney  
Regional Judicial Officer  
Office of Regional Counsel (C-14J)  
US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

**US EPA REGION 5**

Jeffrey Cahn  
Associate Regional Counsel  
Office of Regional Counsel (C-14J)  
US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

**THE DETROIT EDISON COMPANY**

William S Blair, Esq.  
2000 Second Avenue, 688 WCB  
Detroit, Michigan 48226  
(313) 235-3724  
(313) 235-8500 (fax)

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