



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JAN 12 2011

REPLY TO THE ATTENTION OF:

C-14J

BY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Hon. Barbara Gunning  
Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue N.W.  
Washington, D.C. 20460

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 Complainant's Reply Memorandum in Support of Motion for Leave to Amend Complaint. By copy of this letter, the Respondent is being served today by certified mail using its last known address.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Thomas M. Williams".

Thomas M. Williams  
Associate Regional Counsel

Enclosure

cc (by certified mail, with enclosure): Mr. Laurence Kelly.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

RECEIVED  
REGIONAL HEARING CLERK  
AGENCY REGION 5  
2011 JAN 12 PM 1:52

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 REPLY MEMORANDUM IN SUPPORT OF  
MOTION FOR LEAVE TO AMEND COMPLAINT AND COMPLIANCE ORDER**

Complainant, the Director of the Land and Chemicals Division, United States Environmental Protection Agency, Region 5 (Complainant or U.S. EPA), pursuant to 40 C.F.R. §§ 22.16 and 22.14(c) of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* (Consolidated Rules or Rules), submits that on January 7, 2011, she received Respondent's Memorandum in Support of Complainant's Motion for Leave Amend the Complaint and Compliance Order. In it, Respondent does not oppose the proposed amendments that Mr. Laurence C. Kelly be added as a Respondent and that certain regulatory citations be replaced. While Complainant denies certain statements that Respondent makes in the narrative accompanying Respondent's Memorandum, and intends to offer evidence and argument at hearing to refute those statements, there appears to be no objection to the request for leave to amend.

Accordingly, Complainant requests that leave to amend the Complaint and Compliance

Order be granted so that the amended Complaint can be served and filed with the Regional Hearing Clerk.

Respectfully submitted this 12<sup>th</sup> day of January 2011,



Thomas M. Williams  
Associate Regional Counsel  
Kasey Barton  
Assistant Regional Counsel  
U. S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

---

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

RECEIVED  
REGIONAL HEARING CLERK  
U.S. EPA REGION 5  
2011 JAN 12 PM 1:53

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 )  
\_\_\_\_\_ )

CERTIFICATE OF FILING AND SERVICE

I hereby certify that today I filed personally with the Region 5 Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, 77 West Jackson Boulevard (E-19J), Chicago, Illinois, 60604-3590, the original and one copy of the document entitled **Complainant's Reply Memorandum in Support of Motion for Leave to Amend the Complaint and Compliance Order**, and that I caused to be served, certified mail, return receipt requested, a copy of the original document on the Presiding Officer and the Respondent:

Honorable Barbara Gunning  
Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

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

  
\_\_\_\_\_  
Nina Johnson

Administrative Program Assistant  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard (C-14J)  
Chicago, Illinois 60604

Date: January 12, 2011