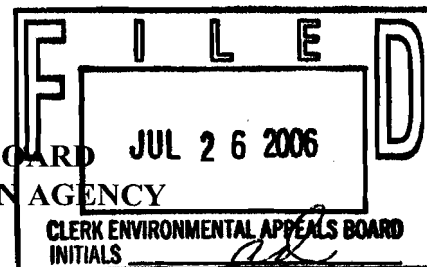


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_  
In re: )  
 )  
Dow Chemical Company, )  
Hanging Rock Plant ) RCRA Appeal No. 06-01  
 )  
 )  
Permit No. OHD 039-128-913 )  
\_\_\_\_\_ )

**ORDER EXTENDING TIME TO FILE RESPONSE**

By motion filed on July 25, 2006, U.S. EPA Region 5 (the "Region") seeks a ninety-day extension of time to file<sup>1</sup> its response to the petition for review filed in the above-captioned matter by The Dow Chemical Company ("Dow"). Motion for Extension of Time to Respond to Petition for Review (July 25, 2006) ("Motion"). In support of the Motion, the Region states that it and Dow have agreed to pursue settlement discussions and that, given the technical nature of the issues as well as scheduling difficulties, the additional time is necessary to allow the parties to "comprehensively discuss a resolution of the contested permit provisions." Motion at 2. In addition, the Motion states that counsel for Region 5 will be out of the country for several weeks "to attend his nuptials." *Id.* The Motion represents that Dow concurs in the extension request.

\_\_\_\_\_  
<sup>1</sup> Documents are "filed" with the Board on the date they are *received* by the Clerk.

For good cause shown, the Motion is granted. The Region's response must now be filed no later than November 16, 2006.

So ordered.

Dated: 7/26/06

ENVIRONMENTAL APPEALS BOARD

By: Scott C. Fulton  
Scott C. Fulton  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Extending Time to File Response in the matter of Dow Chemical Company, hanging Rock Plant, RCRA Appeal No. 06-01, were sent to the following persons in the manner indicated:


First Class Mail:

Robert J. Schmidt  
Porter, Wright, Morris & Arthur  
41 South High Street  
Columbus, OH 43215

Pouch Mail:

Kevin C. Chow  
Assistant Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

Dated: JUL 27 2006

  
Annette Duncan  
Secretary