

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

IN RE:)
)
Southern Iowa Mechanical)
Superfund Site)
Ottumwa, Iowa) Petition No.
) CERCLA 106(b) 10-01
Titan Tire Corporation) Docket No.
) CERCLA-07-2009-0006
and)
)
Dico, Inc.,)
)
Petitioners)
)
Second Petition for Reimbursement Under)
Section 106(b)(2) of the Comprehensive)
Environmental Response, Compensation,)
and Liability Act of 1980, as amended)
42 U.S.C. § 9606(b)(2))

Unopposed Motion for Extension of Time to File a Responsive Brief

Pursuant to Sections II.I.1 of the Environmental Appeals Board ("Board") Practice Manual dated September 2010, Petitioners Titan Tire Corporation and Dico, Inc. ("Petitioners") respectfully move this Board for an extension of time, until November 12, 2010, to respond to Respondent U.S. Environmental Protection Agency, Region 7's, ("EPA") Motion to Stay Proceedings. In support of this motion, Petitioners provide the following:

1. Petitioners' responsive brief to EPA's Motion to Stay Proceedings is currently not due yet.
2. Petitioners have not previously requested an extension of this deadline.

3. Prior to filing this motion, counsel for Petitioners consulted with counsel for EPA concerning the requested extension. EPA has no objection to the extension of time requested in this motion.

4. The requested extension is sought to allow Petitioners time to gather the facts, evidence, and research necessary to respond to EPA's Motion to Stay Proceedings prior to a decision by the Board.

5. The extension of time requested herein is reasonable and necessary, is not sought for the purpose of delay, will not result in prejudice to any party, and has been consented to by opposing counsel.

WHEREFORE, Petitioners respectfully request that this motion be granted.

Respectfully submitted,

STINSON MORRISON HECKER LLP

By: /s/Mark E. Johnson

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**ATTORNEYS FOR PETITIONERS TITAN
TIRE CORPORATION AND DICO, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of November, 2010, I served a true and correct copy of the above Motion for Extension of Time to File a Responsive Brief by mailing a copy via first class United States Mail to the following:

Daniel J. Shiel
Assistant Regional Counsel
Office of Regional Counsel
U.S. EPA, Region 7
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/s/Mark E. Johnson
Attorney for Petitioners