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July 16, 2007

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ENVIR. APPEALS BOARD

**VIA FEDERAL EXPRESS**

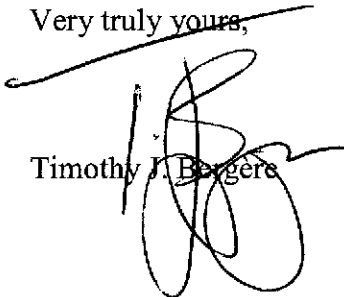
Clerk of the Environmental Appeals Board  
Colorado Building, Suite 600  
1341 G Street, NW  
Washington, DC 20005

Re: In the Matter of Leed Foundry, Inc.  
RCRA (3008) Appeal No. 07-(02)  
MOTION FOR EXTENSION OF TIME

Dear Sir or Madam:

Enclosed for filing please find the original and two (2) copies of Respondent/Appellee Leed Foundry, Inc.'s Motion for Extension of Time to file its Reply Brief. Counsel for USEPA has no objection to the requested extension. Copies are being provided to the Honorable William B. Moran as well as counsel-of-record for Complainant/Appellant. Kindly return a "filed" copy in the self-addressed, stamped envelope provided. Thank you.

Very truly yours,

  
Timothy J. Berge

Enclosures

cc: Honorable William B. Moran (with enclosure) [Via Federal Express]  
John Ruggero, Esquire (with enclosure) [Via Federal Express]  
Peter J. Raack, Esquire (with enclosure) [Via Federal Express]

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

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ENVIR. APPEALS BOARD

<b>In the Matter of:</b>	:	
	:	<b>RCRA (3008) Appeal No. 07-(02)</b>
<b>Leed Foundry, Inc.</b>	:	
	:	
<b>Respondent.</b>	:	<b>MOTION FOR EXTENSION OF TIME</b>
	:	
<b>Docket No. RCRA-03-2004-0061</b>	:	
	:	

**MOTION FOR EXTENSION OF TIME**

Pursuant to 40 C.F.R. §§ 22.16(a), 22.7(b), and 22.30(e), counsel for Respondent/Appellee Leed Foundry, Inc., moves this Board for a thirty (30) day extension of time to file its Brief in Reply to Complainant/Appellant USEPA's Notice of Appeal and Supporting Brief. In support thereof, Respondent/Appellee sets forth the following:

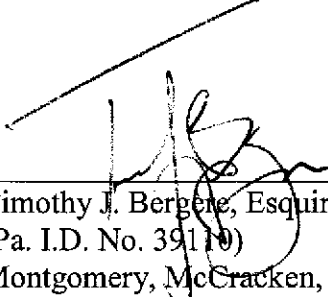
1. On April 24, 2007, the Honorable William B. Moran entered his Initial Decision in a matter bearing Docket No. RCRA-03-2004-0061.
2. By Order dated May 23, 2007, this Board granted Complainant/Appellant USEPA's Motion to extend until June 29, 2007 the deadline within which it might appeal Judge Moran's April 23, 2007 Initial Decision.
3. On or about June 29, 2007, Complainant/Appellant USEPA filed its Notice of Appeal and Supporting Brief and, shortly thereafter, filed a Motion for Leave to file a corrected version thereof, which Motion was granted by this Board by Order dated July 3, 2007.
4. Pursuant to 40 C.F.R. § 202.30(a)(2), and this Board's Order of July 3, 2007, Respondent/Appellee has until July 19, 2007 to file its Reply Brief.

5. To allow sufficient time to analyze and respond to the myriad issues raised by Complainant/Appellant in its Notice of Appeal and Supporting Brief, Respondent/Appellee hereby seeks leave of this Board for a thirty (30) day extension, until August 18, 2007, of the time period within which to file its Brief in Reply.

6. The undersigned counsel for Respondent/Appellee Leed Foundry, Inc. hereby represents to the Board that he has spoken to counsel for Appellant USEPA and has been authorized to represent to this Board that Complainant/Appellant USEPA does not object to the granting of such an extension.

7. No prejudice to any party in interest will result from the granting of such an extension.

WHEREFORE, Respondent/Appellee Leed Foundry respectfully requests that this Motion for Extension of Time to file its Brief in Reply be granted.



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**Counsel to Respondent/Appellee  
Leed Foundry, Inc.**

Dated: July 16, 2007

**CERTIFICATE OF SERVICE**

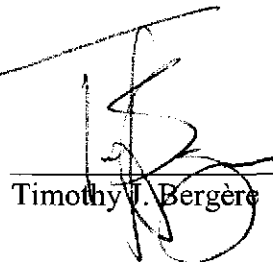
I, Timothy J. Bergère, do hereby certify that I have this 16th day of July 2007, caused to have delivered to the persons listed below, originals and/or true and correct copies of the foregoing Motion for Extension of Time on behalf of Respondent/Appellee Leed Foundry, Inc. via Federal Express Next Day Delivery:

Clerk of the Environmental Appeals Board  
Colorado Building, Suite 600  
1341 G. Street, NW  
Washington, DC 20005

Honorable William B. Moran  
Offices of the Administrative Law Judges  
Franklin Court Building – Suite 350  
1099 14<sup>th</sup> Street, NW  
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John Ruggero  
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Timothy J. Bergère