

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:** )  
 )  
**Ken's Metal Finishing, Inc.** )  
 )  
**And** )  
 )  
**Kenneth LaCroix** )  
 )  
**Respondents** )  
\_\_\_\_\_ )

**DOCKET NO. RCRA-05-2007-007**

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REGIONAL HEARING  
CLERK  
US EPA  
2007 SEP 19 PM 12: 52

**MOTION TO EXTEND ADR PROCESS**

On July 30, 2007, Chief Administrative Law Judge Susan L. Biro initiated an ADR process for the case referenced above, and appointed Judge Spencer T. Nissen as the ADR process neutral. This ADR process is scheduled to terminate September 28, 2007.

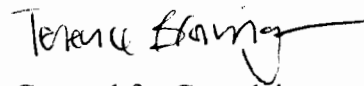
For the reasons specified below, Counsel for Complainant hereby requests an extension of the ADR process for the case referenced above for an additional 60 days, until November 27, 2007.

Counsels for Complainant and for Respondents have had several conversations about the legal positions of their respective clients. In addition, Counsels for Complainant and for Respondents met by telephone with Judge Nissen on September 12, 2007, and are scheduled to meet with him again by telephone on September 26, 2007.

Counsel for Complainant believes that the parties have made progress toward settling this dispute and believes that the parties will make additional progress toward

settlement with an extension of the ADR process. Counsel for Respondents has indicated that he concurs.

Respectfully Submitted,

A handwritten signature in black ink that reads "Terence Branigan". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Counsel for Complainant  
Terence Branigan  
Associate Regional Counsel  
U.S. Environmental Protection Agency  
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Chicago, IL 60604  
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Date: September 19, 2007

Re: Ken's Metal Finishing, Inc. and Kenneth LaCroix

Docket No. ~~05-2007-007e~~ RCRA-05-2007-0007

CERTIFICATE OF SERVICE

I certify that on this day the original and one copy of the foregoing Motion to Extend ADR Process and this Certificate of Service were hand-delivered to Sonja Brooks-Woodard, Regional Hearing Clerk, Region 5, U.S. EPA, 77 West Jackson Boulevard, Chicago, IL, 60604, and that copies of the Motion to Extend ADR Process were sent to the addressees listed below.

  
Elizabeth Rosado

Dated: September 19, 2007

One Copy by Federal Express to:

Honorable Spencer T. Nissen  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Franklin Court, Suite 350  
1099 14th St. NW  
Washington, DC 20005

One Copy by Federal Express to:

Daniel W. Stauner, Esq.  
Attorney for Respondents  
Hanlon & Stauner  
2925 Dean Parkway, Suite 300  
Minneapolis, MN 55416