

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

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In the Matter of:	)	Docket No. CAA-05-2008-0038
	)	
Wisconsin Veneer and Plywood, Inc.	)	Proceeding to Assess a Civil Penalty
Mattoon, Wisconsin	)	Under Section 113(d) of the Clean Air
	)	Act, 42 U.S.C. § 7413(d)
Respondent.	)	
	)	

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

**JOINT MOTION FOR EXTENSION OF TIME**

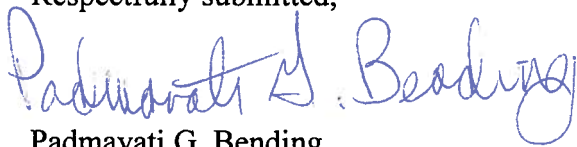
Padmavati Bending, Counsel for Complainant, Director of the Air and Radiation Division, U.S. Environmental Protection Agency, Region 5, Chicago, Illinois, (the "EPA") and Donald P. Gallo, Counsel for Respondent, Wisconsin Veneer and Plywood, Inc., Mattoon, Wisconsin ("Wisconsin Veneer") move this court for an Order extending the time for filing prehearing exchanges pursuant to the provisions of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. Part 22.

The basis for this motion is as follows: On November 22, 2008, Administrative Law Judge Susan L. Biro issued a Prehearing Order directing the Parties to engage in settlement discussions on or before December 19, 2008, and, among other things, file a Consent Agreement and Final Order by January 16, 2009. The Order also directed that Complainant's Initial Prehearing Exchange be submitted by January 16, 2009 and Respondent's Prehearing Exchange be filed by February 6, 2009. On or about December 16, 2008, the EPA filed its First Status Report in this matter indicating that the parties are actively discussing settlement. The parties are continuing to evaluate information provided by the other party and actively working toward a settlement of this matter.

However, both parties need additional time to evaluate the information that the parties are exchanging.

Therefore, the Parties jointly move the Court for an Order revising its Prehearing Order to provide that the Consent Agreement and Final Order filing date be delayed by 30 days to February 16, 2009 and that the prehearing exchanges filing dates be delayed by 30 days to February 16, 2009, March 9, 2009, and March 23, 2009, respectively.

Respectfully submitted,



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CERTIFICATE OF SERVICE


I hereby certify that today I filed personally with the Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, 77 West Jackson Boulevard (E-13J), Chicago, Illinois, 60604-3590, the original document entitled Joint Motion for Extension of Time for this civil administrative action, and that I issued to the Court and Respondent's Counsel by first class mail a copy of the original document:

The Honorable Susan L. Biro  
Chief Administrative Law Judge  
U.S. Environmental Protection Agency  
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Washington, D.C. 20460

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Cynthia Dixon  
Administrative Program Assistant

12-31-2008  
Date