

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
901 N. 5th St.
KANSAS CITY, KANSAS 66101

07 JAN 18 PM 2:20
ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF:)
)
American Railcar Industries, Inc.) Docket No. RCRA-07-2006-0282
)
1101 Bedford Avenue)
North Kansas City, Missouri, 64116)
)
EPA ID# MOT300010022)
)
)
Respondent.)

MOTION FOR STAY IN PROCEEDINGS OR EXTENSION OF TIME

Comes now Complainant, the United States Environmental Protection Agency Region 7 (EPA) and states as follows:

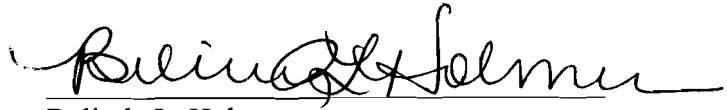
1. Complainant and Respondent, American Railcar Industries, Inc. (ARI) have reached a settlement in principle in this matter.
2. Complainant is preparing a Consent Agreement and Final Order (CAFO) which reflects the agreed-upon settlement terms. The CAFO will be sent via overnight express to Respondent as soon as possible.
3. In accordance with the Prehearing Order issued by Administrative Law Judge Charneski in this matter, the date for submission of reply prehearing exchanges is Wednesday, January 24, 2007.
4. In light of the fact that the parties have achieved a settlement in principle in this

matter, Complainant respectfully requests that the proceedings be stayed pending signature of the settlement agreement by both parties and approval by the Regional Judicial Officer.

Alternatively, Complainant requests an extension of three weeks to the deadline for submission of the reply prehearing exchanges.

5. Undersigned counsel for Complainant represents that I have consulted with counsel for Respondent and she concurs with the request for a stay in proceedings or an extension of time as set forth herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Belinda L. Holmes", written over a horizontal line.

Belinda L. Holmes
Counsel for Complainant

CERTIFICATE OF SERVICE

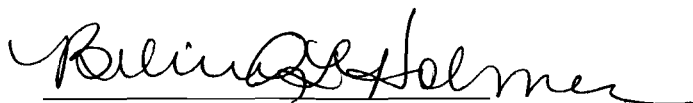
I hereby certify that on the 18th day of January, 2007, I filed the Original of this Motion for Stay in Proceedings or Extension of Time with the Regional Hearing Clerk, EPA, Region 7, 901 North Fifth Street, Kansas City, Kansas, 66101. I also delivered copies of this document and exhibits to the following:

VIA FACSIMILE AND POUCH MAIL:

The Hon. Carl C. Charneski
Administrative Law Judge
United States Environmental Protection Agency
Office of the Administrative Law Judges
Mail Code 1900L
1200 Pennsylvania Ave. N.W.
Washington, D.C. 20460

VIA FACSIMILE AND REGULAR MAIL:

Julie O'Keefe, Esq.
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102



Name