

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
)
South Holland Metal Finishing Co., Inc.)
26100 South Whiting Way)
Monee, Illinois 60449)
)
ILR 000 107 334)
)
Respondent.)

DOCKET NO.: RCRA-05-2007-0014

RECEIVED
REGIONAL HEARING CLERK
US EPA REGION V

2008 MAR 13 PM 1:49

NOTICE OF FILING

TO: Regional Hearing Clerk (E-13J)
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604
(VIA FEDERAL EXPRESS)

Thomas J. Kenney
Senior Attorney
United States Environmental
Protection Agency, Region 5
Office of Regional Counsel (C-14J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
**(VIA ELECTRONIC MAIL
and FIRST CLASS MAIL)**

(PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Regional Hearing Clerk of the United States Environmental Protection Agency, Region 5 an original and one copy of South Holland Metal Finishing Co., Inc.'s **MOTION FOR EXTENSION OF TIME**, a copy of which is herewith served upon you.

Respectfully submitted,
SOUTH HOLLAND METAL
FINISHING CO., INC.,
Respondent,

Dated: March 12, 2008

By: 
One of Its Attorneys

Edward W. Dwyer # 6197577
Lauren C. Lurkins # 6290854
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705
(217) 523-4900

THIS FILING SUBMITTED ON RECYCLED PAPER

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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MOTION FOR EXTENSION OF TIME

NOW COMES Respondent, SOUTH HOLLAND METAL FINISHING CO., INC. (hereinafter "South Holland"), by and through its attorneys, HODGE DWYER ZEMAN, and hereby requests an extension of time for thirty (30) days, or until Wednesday, April 16, 2008, in which to file the Consent Agreement and Final Order ("CAFO") agreed to by South Holland and the United States Environmental Protection Agency, Region 5 (hereinafter "U.S. EPA") in this matter. In support of this Motion, South Holland states as follows:

1. On April 7, 2004, a representative of U.S. EPA performed a Compliance Evaluation Inspection at the South Holland facility in Monee, Illinois (hereinafter "Facility").
2. On July 12, 2004, U.S. EPA sent an Information Request to South Holland requesting South Holland to submit certain information relating to hazardous waste management issues at the Facility.
3. On August 3, 2004, South Holland responded in writing to U.S. EPA's Information Request.
4. On September 20, 2004, U.S. EPA sent a Notice of Violation (hereinafter "NOV") to South Holland based on the findings of the Compliance Evaluation Inspection conducted on April 7, 2004.

5. On October 18, 2004, South Holland responded in writing to U.S. EPA's NOV.
6. On August 23, 2006, U.S. EPA sent a pre-filing notice letter to South Holland informing it that U.S. EPA was prepared to file an administrative complaint for civil penalties against South Holland based on U.S. EPA's April 7, 2004 inspection, South Holland's response to U.S. EPA's July 12, 2004 Request for Information, South Holland's response to U.S. EPA's September 20, 2004 NOV and U.S. EPA's May 26, 2005 inspection. U.S. EPA also notified South Holland that it would be given the opportunity to confer with U.S. EPA about the filing of an administrative complaint and the proposed penalty that would be sought by such an action.
7. On October 20, 2006, U.S. EPA, South Holland and their respective counsel convened for the pre-filing meeting.
8. Over the course of the last year and a half, the parties have engaged in discussion regarding South Holland's ability to pay the civil penalty proposed by U.S. EPA, and the possibility of settlement of the matter.
9. On September 24, 2007, U.S. EPA filed an Administrative Complaint and Compliance Order (hereinafter "Complaint") in this matter.
10. On September 27, 2007, South Holland was served with U.S. EPA's Complaint through its registered agent.
11. On October 24, 2007, U.S. EPA filed its First Amended Complaint and Compliance Order (hereinafter "Amended Complaint") in this matter.
12. On October 26, 2007, South Holland was served with U.S. EPA's Amended Complaint through its registered agent.
13. Since the filing of U.S. EPA's Complaints, U.S. EPA and South Holland have continued to actively engage in negotiations to resolve this matter.

14. U.S. EPA and South Holland have now reached an agreement on the CAFO and are in the process of circulating the same for signature by all parties prior to filing with the Regional Hearing Clerk.

15. Therefore, South Holland respectfully requests an extension of time for thirty (30) days in which to file the CAFO with the Regional Hearing Clerk.

16. U.S. EPA concurs with this request for additional time.

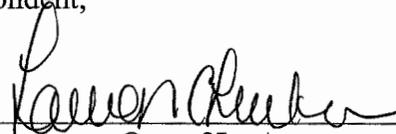
17. South Holland does not file this Motion for purposes of delay or for any other improper purpose, but rather for the reasons set forth above.

WHEREFORE, for the above and foregoing reasons, Respondent, SOUTH HOLLAND METAL FINISHING CO., INC., hereby moves the Regional Hearing Clerk to grant it an extension of time for thirty (30) days, or until Wednesday, April 16, 2008, in which to file the Consent Agreement and Final Order in this matter.

Respectfully submitted,

SOUTH HOLLAND METAL
FINISHING CO., INC.,
Respondent,

By:



One of Its Attorneys

Dated: March 12, 2008

Edward W. Dwyer # 6197577
Lauren C. Lurkins # 6290854
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705
(217) 523-4900

SOHO:001/Filings/Motion for Extension of Time - 4

CERTIFICATE OF SERVICE

The undersigned, Lauren C. Lurkins, certifies that she has served a copy of the foregoing

MOTION FOR EXTENSION OF TIME, upon:

Regional Hearing Clerk (E-13J)
United States Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Ms. Marcy A. Toney
Regional Judicial Officer
77 West Jackson Boulevard
Mail Code: C14-J
Chicago, Illinois 60604

via Federal Express on March 12, 2008; and upon:

Thomas J. Kenney
Senior Attorney
United States Environmental Protection Agency, Region 5
Office of Regional Counsel (C-14J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
kenney.thomas@epa.gov

by electronic mail and by depositing said documents in the United States Mail, postage prepaid,

in Springfield, Illinois on March 12, 2008; and upon:

Ms. Margaret M. Guerriero
Director
Land and Chemicals Division
United States Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois
on March 12, 2008.



Lauren C. Lurkins

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