

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

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US EPA REGION V

2007 DEC 20 AM 10:37

IN THE MATTER OF: )  
)  
South Holland Metal Finishing Co., Inc., )  
)  
)  
)  
Respondent. )

DOCKET NO. RCRA-05-2007-0014

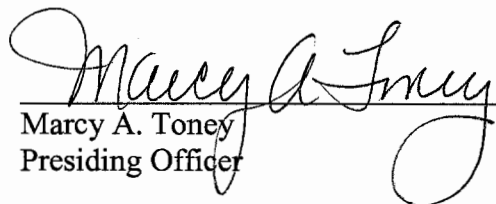
**CORRECTED ORDER GRANTING MOTION FOR EXTENSION OF TIME**

Respondent South Holland Metal Finishing Co., Inc. has filed its second motion for an extension of time in which to respond to Complainant's First Amended Complaint in this matter. Respondent states that the parties are "actively engaged" in negotiations to resolve this matter and counsel for Complainant does not object to an extension. Respondent further states in its motion, however, that it has been engaged in settlement discussions for some time, apparently over the course of the last year. Counsel is advised that under the Consolidated Rules, 40 C.F.R. § 22.7(b), good cause must exist for extensions of time. Continuous recitation of "ongoing settlement discussions" does not constitute good cause. In addition, even unopposed motions should be filed before the date a pleading is due. See 40 C.F.R. § 22.7(b).

Respondent's motion for extension of time is hereby GRANTED and Respondent shall have until **January 16, 2008**, to file its answer or otherwise plead in this matter. Further motions for extension of time will be viewed with disfavor.

IT IS SO ORDERED.

Date: December 20, 2007

  
\_\_\_\_\_  
Marcy A. Toney  
Presiding Officer

IN THE MATTER OF South Holland Metal Finishing Co., Inc., Respondent,  
Docket No. RCRA-05-2007-0014

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CERTIFICATE OF SERVICE

I certify that the foregoing Corrected Order Granting Motion for Extension of Time, dated December 20, 2007, was sent this day in the following manner to the addressees:

Original hand delivered to:

Regional Hearing Clerk  
U.S. Environmental Protection  
Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

Copy hand delivered to  
Attorney for Complainant:

Thomas J. Kenney  
U.S. Environmental Protection  
Agency, Region 5  
Office of Regional Counsel  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

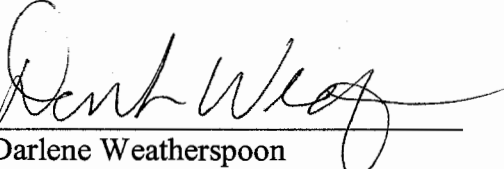
Copy by U.S. Mail  
First Class:

Edward W. Dwyer  
Lauren C. Lurkins  
Hodge Dwyer Zeman  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, IL 62705

Dated:

12/20/07

By:

  
Darlene Weatherspoon  
Administrative Program Assistant