

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:) Docket No. CAA-05-2008-0037
)
Wisconsin Plating Works of Racine, Inc.) Proceeding to Assess a Civil
Racine, Wisconsin) Penalty Under Section 113(d) of
) the Clean Air Act, 42 U.S.C. §
) 7413(d)
Respondent.)
 _____)

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JUN 12 2009

**REGIONAL HEARING CLERK
 U.S. ENVIRONMENTAL
 PROTECTION AGENCY**

RESPONDENT'S MOTION TO SUPPLEMENT PREHEARING EXCHANGE

Respondent files this Motion to Supplement Prehearing Exchange pursuant to Judge Biro's December 4, 2008 Prehearing Order. Respondent, by and through its undersigned attorney, moves this Honorable Court to allow Respondent to supplement its Prehearing Exchange to include the additional exhibits identified below. Respondent's attorney has contacted Complainant's counsel concerning this motion and Complainant's counsel has no objection to the Court granting this motion.

I. SUPPLEMENTAL LIST OF EXHIBITS

EXHIBIT NO.	EXHIBIT DESCRIPTION
Respondent's Group Exhibit 12	Respondent's Federal and Wisconsin Corporate Tax Returns for 2006
Respondent's Group Exhibit 13	Respondent's Federal and Wisconsin Corporate Tax Returns for 2007
Respondent's Group Exhibit 14	Respondent's Federal and Wisconsin Corporate Tax Returns for 2008
Respondent's Group Exhibit 15	Respondent's List of Assets
Respondent's Group Exhibit 16	Respondent's End-of-Year Financial Statement for 2006 (and 2005)
Respondent's Group Exhibit 17	Respondent's End-of-Year Financial Statement for 2007 (and 2006)
Respondent's Group Exhibit 18	Respondent's End-of-Year Financial Statement for 2008 (and 2007)
Respondent's Group Exhibit 19	Respondent's 1 st Quarter 2009 Financial Statement with Cash Flow
Respondent's Group Exhibit 20	Respondent's 2 nd , 3 rd and 4 th Quarter Proforma

	Projections with Cash Flow Statement
Respondent's Group Exhibit 21	Respondent's End-of-Month Financial Statement for January 2009
Respondent's Group Exhibit 22	Respondent's End-of-Month Financial Statement for February 2009
Respondent's Group Exhibit 23	Respondent's End-of-Month Financial Statement for March 2009
Respondent's Group Exhibit 24	Respondent's End-of-Month Financial Statement for April 2009
Respondent's Group Exhibit 25	Respondent's Letter from David Insurance Regarding Non-Coverage for Environmental Fines or Legal Expenses
Respondent's Group Exhibit 26	Respondent's Emailed Spreadsheet from Purchasing Manager of NTN Detailing Production Forecast Through September 2009.
Respondent's Group Exhibit 27	Respondent's Executed Letter of Intent for the NTN Project.
Respondent's Group Exhibit 28	Respondent's Chart Detailing Respondent's Monthly Sales from January 2006 through April 2009
Respondent's Group Exhibit 29	NTN Purchase Orders.

The above listed exhibits were previously submitted to Complainant's counsel on May 19, 2009 pursuant to the Court's April 30, 2009 Order compelling discovery. The exhibits were submitted to Complainant's counsel as CBI materials under 40 CFR Part 2. Additionally, these documents were included in the Joint Stipulation Concerning Documents filed by Complainant's counsel on June 4, 2009.

Complainant will suffer no prejudice from the inclusion of these exhibits in the Prehearing Exchange, as it has possessed such exhibits since May 19, 2009, and has in fact already stipulated to the authenticity and admissibility of the exhibits into the record to be compiled at the administrative hearing to be held in this matter in Chicago, Illinois, starting on July 21, 2009.

WHEREFORE, Respondent respectfully requests that its Motion to Supplement Prehearing Exchange be granted.

Respectfully submitted,

Wisconsin Plating Works of Racine, Inc.

By: 
One of its attorneys

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Respondent.)	
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CERTIFICATE OF SERVICE

I hereby certify that today I caused to be filed 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 Respondent's Motion to Supplement Prehearing Exchange for this civil administrative action, and that I issued to the Court and Complainant'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
Mail Code 1900L
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

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Padmavati G. Bending
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard (C-14J)
Chicago, Illinois 60604-3590



Stuart M. Sheldon

6/12/09
Dated

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