

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of: )  
)  
Mercury Vapor Processing )  
Technologies, Inc. a/k/a River Shannon )  
Recycling )  
13605 S. Halsted )  
Riverdale, IL 60827 )  
EPA ID No: ILD005234141, and )  
)  
Laurence Kelly )  
)  
Respondents )

Docket No. RCRA-05-2010-0015

RECEIVED

JUL 20 2011

REGIONAL HEARING CLERK  
USEPA  
REGION 5

**RESPONDENTS' RESPONSE TO COMPLAINANT'S MOTION TO STRIKE**  
**"RESPONDENTS RESPONSE TO THE US EPA OPPOSITION TO RESPONDENTS**  
**MOTION TO DISMISS WITH PREJUDICE FOR LACK OF FAIR NOTICE AND**  
**CONVOLUTED REGULATIONS**

Respondents miscalculated the dates which their response was due and were under the impression that the due date was July 2, 2011, one day later than the response was due, and which was a Saturday, followed by a holiday on Monday. Respondents were under the impression that their response was therefore due on July 5, 2011. Respondents submitted their response by fax on July 4, 2011, so that their response would be available at the start of the next business day. Respondents have been timely in all of their responses to the court and to the US EPA's Requests for Information. Respondents ask the court to please allow their late response to be admitted into the record and apologize for any inconvenience this may have caused.

Respectfully Submitted,

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Laurence Kelly  
7144 N. Harlem Ave.  
Suite 303  
Chicago, IL 60631

Date

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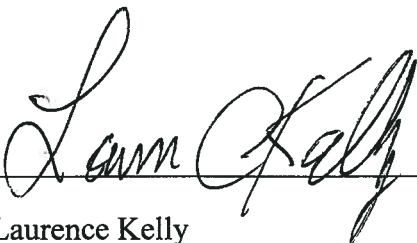
CERTIFICATE OF SERVICE

I certify that the foregoing Respondents' Response to Complainant's Motion to strike "Respondents' Response to the US EPA Opposition to Respondents' Motion to Dismiss with Prejudice for Lack of Fair Notice and Convolved Regulations" dated July 13, 2011, was sent this day in the following manner to the addressees listed below:

Original by Certified Mail to: Regional Hearing Clerk  
U.S. EPA - Region 5  
77 W. Jackson Blvd.  
Mail Code: E-19J  
Chicago, IL 60604

Copy by fax and Certified Mail to: Jeffery Cahn  
Associate Regional Counsel  
US Environmental Protection Agency - Region 5  
77 W. Jackson Blvd.  
Mail Code: C-14J  
Chicago, IL 60604

The Honorable Judge Gunning  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Mail Code 1900L  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460



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