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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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In the Matter of:)	Docket No. CAA-05-2011-0063
)	
Warren Steel Holdings, LLC)	Proceeding to Assess a Civil Penalty
Warren, Ohio,)	Under Section 113(d) of the Clean Air Act
)	42 U.S.C. § 741(d)
Respondent.)	

**RESPONDENT WARREN STEEL HOLDINGS, LLC'S
UNOPPOSED MOTION FOR THIRD EXTENSION OF
TIME TO ANSWER THE COMPLAINT**

Respondent, Warren Steel Holdings, LLC ("WSH"), through its attorneys, Pepper Hamilton LLP, moves the Regional Judicial Officer, as the Presiding Officer, for an extension of time to answer the Complaint in this matter. In support, WSH states:

1. On Friday, September 30, 2011, the United States Environmental Protection Agency ("EPA") filed an administrative complaint alleging violations related to the Clean Air Act.
2. Prior to the original deadline for filing its Answer, and in anticipation of reaching a settlement with EPA, WSH filed an Unopposed Motion for an Extension of Time to Answer the Complaint on October 21, 2011.
3. On October 24, 2011, an Order was entered by the Regional Judicial Officer granting WSH until January 30, 2012, to answer the Complaint.
4. Based on the considerable progress of the parties' negotiations, WSH filed an Unopposed Motion for a Second Extension of Time to Answer the Complaint on January 23, 2012.

5. On January 26, 2011, an Order was entered by the Regional Judicial Officer granting WSH until February 21, 2012, to answer the Complaint.

6. Since entry of that Order, the parties negotiated a final Consent Agreement and Final Order ("CAFO") to resolve this matter.

7. WSH signed and sent the CAFO to EPA on February 2, 2012, and is advised by EPA that the CAFO was already signed on behalf of the Office of Air and Radiation.

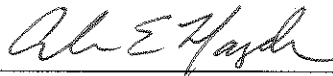
8. Although the Regional Administrator has yet to provide her signature, which will finalize the CAFO, her signature is anticipated today or tomorrow.

9. Given the imminent resolution of this case, WSH seeks a 7-day extension to allow for EPA's final CAFO signature and the dismissal of this case.

10. Neither party to this action will suffer prejudice because EPA has represented through counsel that it supports WSH's request for an extension of time.

WHEREFORE, Respondent Warren Steel Holdings, LLC respectfully requests an extension of time for WSH to answer the Complaint until February 28, 2012.

Respectfully Submitted,



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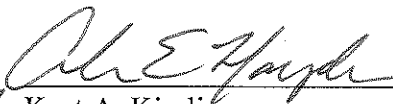
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**MEMORANDUM OF LAW IN SUPPORT OF RESPONDENT
WARREN STEEL HOLDINGS, LLC'S UNOPPOSED MOTION
FOR THIRD EXTENSION OF TIME TO ANSWER THE COMPLAINT**

In support of its Unopposed Motion for Third Extension of Time to Answer the Complaint, Respondent Warren Steel Holdings, LLC relies on 40 C.F.R. § 22.7(b) and the reasons set forth in the accompanying Motion.

WHEREFORE, Respondent Warren Steel Holdings, LLC respectfully requests that the time for filing its Answer be extended to February 28, 2012.

Respectfully Submitted,


for Kurt A. Kissling

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Attorneys for Warren Steel Holdings, LLC

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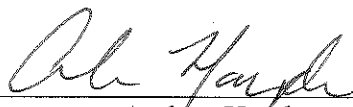
CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of Respondent Warren Steel Holdings, LLC's Unopposed Motion for Third Extension of Time to Answer the Complaint, Memorandum in Support, and Proposed Order was filed with the Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, and that a copy was sent via Overnight Federal Express and e-mail to the following on this 21st day of February 2012:

Susan Prout
Associate Regional Counsel
United States Environmental Protection Agency
77 West Jackson Blvd.
Chicago, Illinois 60604
prout.susan@epa.gov

John J. Breslin
Regional Judicial Officer
United States Environmental Protection Agency
77 West Jackson Blvd.
Chicago, Illinois 60604
breslin.john@epa.gov

Date: February 21, 2012



Andrea Hayden

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ORDER

Upon consideration of Respondent Warren Steel Holdings, LLC's Unopposed Motion for Third Extension of Time to Answer the Complaint brought pursuant to 40 C.F.R. § 22.7(b), it is hereby ORDERED that the Motion is GRANTED and Warren Steel Holdings, LLC shall have until the close of business on February 28, 2012, to file its answer to the Complaint or otherwise plead in this matter.

IT IS SO ORDERED.

REGIONAL JUDICIAL OFFICER