

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY-REGION 7
2012 AUG 14 AM 10:34

IN THE MATTER OF:)
)
TNT General Contracting, Inc.)
Rural Route 3 Box 78C)
Kahoka, Missouri 63445)
)
Webb Minerals, LLC)
1261 Maine Street)
Quincy, Illinois 62360)
)
and)
)
Trustee(s))
of the Gary and Carol Trump Trust (U/T/A))
Kahoka, Missouri 63445)
)
Respondents)
)
Proceeding under Section 3008(a) and (g) of the)
Resource Conservation and Recovery)
Act as amended, 42 U.S.C. § 6928 (a) and (g))
and)
Section 309 (g) of the Clean Water Act,)
33 U.S.C. § 1319(g))
_____)

**MOTION FOR EXTENSION
OF TIME**

Docket No.: RCRA-07-2012-0020
CWA-07-2012-0029

Come now Respondents TNT General Contracting, Inc. ("TNT") and the Gary and Carol Trump Trust ("Trust"), by and through their counsel, Lathrop & Gage LLP, pursuant to Rule 22.16(a) and 22.7 of the Consolidated Rules of Practice (40 C.F.R. § 22.16(a)) and respectfully request a two week extension of time in which to file a responsive pleading in the above matter and state as follows:

1. The Respondents, TNT and the Trust, have been served with a Complaint in the instant matter.

2. Counsel for Respondents TNT and the Trust received Respondent Webb Minerals, LLC's motion for extension of time in which to file a responsive pleading based on a need for additional time. The Respondents have no objection to Webb Minerals' motion for extension of time, yet the Respondents believe that granting additional time to Webb Minerals and not also granting additional time to Respondents would prejudice TNT and the Trust. TNT and the Trust request additional time in order that their counsel may confer with counsel selected by Webb Minerals, LLC prior to filing answers in this case.

3. Since filing the complaint, Petitioner and Respondents have continued settlement discussions, during which Petitioner has requested additional financial information from Respondents. TNT and the Trust have provided additional information and request additional time to continue negotiations with Petitioner prior to filing their responsive pleading.

4. Kristen Ellis Johnson, counsel for TNT and the Trust, has contacted counsel for the Petitioner regarding the possibility of an extension of time within which to file a responsive pleading. Belinda Holmes informed Kristen Ellis Johnson that the Petitioner has no objection to the granting of this request.

5. TNT and the Trust are in need of additional time to confer with counsel selected by Webb Minerals, LLC, to prepare additional financial information requested by Petitioner, and to continue settlement discussions prior to filing a responsive pleading.

Based on the foregoing, TNT and the Trust respectfully request an extension of time to file a responsive pleading to August 29, 2012.

Respectfully submitted,

LATHROP & GAGE LLP

By: _____


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ATTORNEYS FOR TNT GENERAL
CONTRACTING, INC. AND THE GARY
AND CAROL TRUMP TRUST

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of August, 2012, the original and one true copy of the foregoing Motion for Extension of Time were sent by Federal Express to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, 901 North 5th Street, Kansas City, KS 66101; and a true and correct copy was sent by U.S. mail, postage prepaid, to:

Ms. Belinda L. Holmes
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