

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)

Ken's Metal Finishing, Inc.)

And)

Kenneth LaCroix)

Respondents)
_____)

DOCKET NO. RCRA-05-2007-0007

2007 JUN 19 PM 4:22

RECEIVED
REGIONAL HEARING CLERK
US ENVIRONMENTAL PROTECTION AGENCY

**JOINT MOTION TO EXTEND SCHEDULE
FOR FILING PREHEARING EXCHANGES**

For the reasons specified below, Counsel for Complainant, the undersigned Terence Branigan, and Counsel for Respondent, Daniel W. Stauner, jointly request an extension by two weeks of the schedule for the commencement of prehearing exchanges in the case captioned above.

On December 12, 2007, Chief Administrative Law Judge Susan L. Biro issued a Prehearing Order that included a schedule for the submission of prehearing exchanges in this case. Complainant's Initial Prehearing Exchange is scheduled for January 25, 2008, with the Respondents' Prehearing Exchange due on February 15, 2008, and Complainant's Rebuttal due on March 1, 2008.

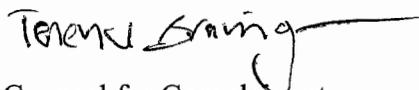
Mr. Branigan and Mr. Stauner can advise that the parties have reached a settlement in the case, have reduced the settlement to a written consent agreement and final order (CAFO), and that the Respondents have executed the CAFO and are in the

process of transmitting the CAFO as executed by Respondents to Complainant. Mr. Branigan can advise that the Complainant intends to initiate the sign-off process for the CAFO upon receiving it from Respondents. Mr. Branigan estimates that the procedure could take approximately two weeks to complete.

Counsels for Complainant and for Respondents therefore request that Chief ALJ Biro issue an order revising the schedule for the Complainant's Initial Prehearing Exchange to February 8, 2008, for Respondents' Prehearing Exchange to February 29, 2008, and for Complainant's Rebuttal to March 14, 2008.

Dated: January 18, 2008

Respectfully Submitted,



Counsel for Complainant
Terence Branigan
Associate Regional Counsel
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604
Telephone: (312) 353-4737
FAX: (312) 886-7160
branigan.terry@epa.gov

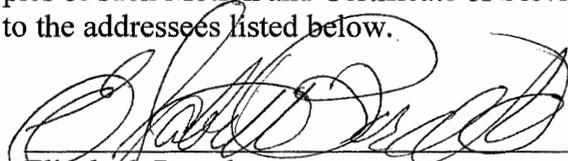
Counsel for Respondents
[See attached letter from Mr. Stauner]
Daniel W. Stauner
Hanlon & Stauner PLLP
PO Box 41907
Plymouth, MN 55441-0907

Dated January 18, 2008

Re: Ken's Metal Finishing, Inc. and Kenneth LaCroix
Docket No. 05-2007-0007

CERTIFICATE OF SERVICE

I certify that the original and one copy of the foregoing Motion to Extend Schedule for Prehearing Exchanges and this Certificate of Service were hand-delivered this day to Sonja Brooks-Woodard, Regional Hearing Clerk, Region 5, U.S. EPA, 77 West Jackson Boulevard, Chicago, IL, 60604, and that copies of such Motion and Certificate of Service were sent this day in the following manner to the addressees listed below.



Elizabeth Rosado

Dated: January 18, 2008

One Copy by Federal Express and by Facsimile to:

Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Franklin Court, Suite 350
1099 14th St. NW
Washington, DC 20005
Fax: 202-565-0044

One Copy by First Class Mail to:

Daniel W. Stauner, Esq.
Hanlon & Stauner PLLP
PO Box 41907
Plymouth, MN 55441-0907

HANLON & STAUNER P.L.L.P.
ATTORNEYS AT LAW
PO BOX 41907
PLYMOUTH, MINNESOTA 55441-0907

JOHN R. HANLON
DANIEL W. STAUNER *

WRITER'S DIRECT DIAL
(763) 536-1415

* ALSO ADMITTED IN WISCONSIN

January 18, 2008

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

VIA FAX AND
FEDEX

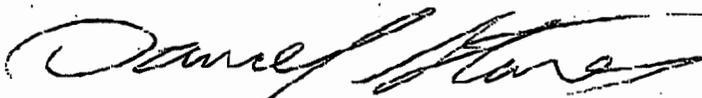
Re: The Matter of Ken's Metal Finishing
Docket No. RCRA-O5-2007-0007

Dear Mr. Branigan

I am faxing to you the signature pages from the CAFO in the above matter and returning the two executed originals to you by FEDEX. It is my understanding that after the CAFO is fully executed you will return one original to me by mail.

This letter will also serve to confirm our telephone conversation in which I told you I would stipulate to an extension of the time to an extension of the January 25th deadline for your prehearing exchange.

Sincerely,



Daniel Stauner