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October 21, 2011

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REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Via Overnight FedEx and E-mail

United States EPA, Region 5
Office of Regional Hearing Clerk
LaDawn Whitehead
77 W. Jackson Blvd.
Mailcode: E-19J
Chicago, IL 60604-3590

Re: In the Matter of Warren Steel Holdings, LLC (Warren, OH)
Docket No. CAA-05-2011-0063

Dear Ms. Whitehead:

On behalf of my client, Warren Steel Holdings, LLC ("WSH"), please find the original and one copy of WSH's Unopposed Motion for an Extension of Time to Answer the Complaint, a Memorandum in Support, a proposed Order, and a Certificate of Service. Please contact me if you have any questions.

Sincerely,



Kurt A. Kissling

Enclosures

c: Marcy Toney (EPA)
Susan Prout (EPA)

#15002622 v3

UNITED STATE ENVIRONMENTAL PROTECTION AGENCY

REGION 5

In the Matter of:

Warren Steel Holdings, LLC
Warren, Ohio,

Respondent.



Docket No. CAA-05-2011-0063

Proceeding to Assess a Civil Penalty
Under Section 113(d) of the Clean Air Act
42 U.S.C. § 741(d)

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

Respondent, Warren Steel Holdings, LLC ("WSH"), through its attorneys, Pepper Hamilton LLP, move the Regional Judicial Officer, as the Presiding Officer, for an extension of time within which to file its Answer to the Complaint in this matter. In support of its Motion and for good cause, 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. Pursuant to 40 C.F.R. § 22.15(a), an answer to the EPA's complaint is normally timely if filed within 30 days of service.
3. Pursuant to 40 C.F.R. § 22.7(b), the Presiding Officer may grant an extension of time for filing "any document" if the motion is timely and good cause is shown.
4. Under 40 C.F.R. § 22.7(b), a motion must be filed sufficiently in advance of the due date to allow other parties reasonable opportunity to respond and to allow the Presiding Officer reasonable opportunity to issue an order.

5. This Motion is timely because it is filed approximately ten days prior to the deadline for filing of WSH's Answer and therefore provides reasonable opportunity for the Presiding Officer to rule on the Motion.

6. The only other party to this matter, EPA, has represented through counsel that it supports WSH's request for a ninety (90) day extension of time to file an Answer, thereby eliminating any potential prejudice to EPA.

7. Good cause is shown because EPA and WSH are currently involved in settlement discussions and it is in the interests of the parties and the court to avoid engaging in costly and potentially unnecessary litigation.

WHEREFORE, Respondent Warren Steel Holdings, LLC respectfully requests that the time for filing its Answer be extended until January 30, 2012.

Respectfully Submitted,



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kisslingk@pepperlaw.com
Attorneys for Warren Steel Holdings, LLC

UNITED STATE ENVIRONMENTAL PROTECTION AGENCY

REGION 5

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.)	
)	

ORDER

Upon consideration of Respondent Warren Steel Holdings, LLC's Unopposed Motion for and 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 January 30, 2012, to file its Answer to the Complaint.

IT IS SO ORDERED.

REGIONAL JUDICIAL OFFICER

UNITED STATE ENVIRONMENTAL PROTECTION AGENCY

REGION 5

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.)
_____)

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of Respondent Warren Steel Holdings, LLC's Unopposed Motion for an 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 21th day of October 2011:

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

Marcy A. Toney
Regional Judicial Officer
United States Environmental Protection Agency
77 West Jackson Blvd.
Chicago, Illinois 60604
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Date: October 21, 2011



Andrea Hayden

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