

# McDermott Will & Emery

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October 4, 2007

BY FEDERAL EXPRESS AND FACSIMILE

Ms. Kathy Robinsin  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 7  
901 North Fifth Street  
Kansas City, Kansas 66101

07 OCT -5 AM 10:22  
ENVIRONMENTAL PROTECTION  
AGENCY-REGION VII  
REGIONAL HEARING CLERK

Re: CHEMCENTRAL Midwest Corporation - Docket Nos. CAA-07-2007-0045 and  
EPCRA - 07-2007-0045

Dear Ms. Robinsin:

CHEMCENTRAL Midwest Corporation hereby requests an additional extension of time in which to file a written answer and request for hearing in the above-referenced administrative cases (CAA-07-2007-0045 and EPCRA - 07-2007-0045). The answer and request for hearing are currently due on October 10, 2007. An extension to November 12, 2007 is requested. U.S. EPA has confirmed with me that it does not oppose this extension.

A Settlement Conference was held at Region 7 Headquarters on September 12, 2007 at which U.S. EPA was represented by Julie Van Horn, its attorney, and George Hess, the Project Manager. Dan Brennan, a Company attorney, Bob Garner, a Company Vice President, and I attended on behalf of CHEMCENTRAL Midwest. At that settlement conference, the parties discussed the substantive allegations in the Complaint and CHEMCENTRAL Midwest offered to provide additional information supporting its views. Also, CHEMCENTRAL Midwest was supplied with the Penalty Calculation so it could review it in reference to EPCRA Penalty Guidance and the draft Penalty Guidance for CAA§112(r)(1), the General Duty clause. CHEMCENTRAL Midwest is in the final stages of preparing a further written submission to U.S. EPA and the requested extension will allow U.S. EPA to review that additional information and allow the parties to continue settlement discussions in light of it.

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If you have any questions, please call me.

Very truly yours,

A handwritten signature in black ink that reads "Louis M. Rundio, Jr." in a cursive script.

Louis M. Rundio, Jr.

LMR/pjm

cc: Ms. Julie M. Van Horn (via Federal Express)  
Senior Assistant Regional Counsel  
United States Environmental Protection Agency  
Region 7  
901 North Fifth Street  
Kansas City, Kansas 66101

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