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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

2008 AUG 21 AM 11: 22

IN THE MATTER OF:)

Libra Industries, Inc.,)

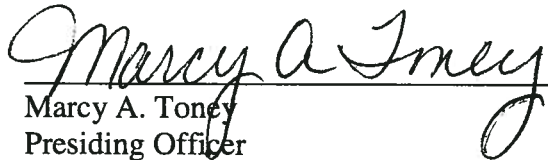
Respondent.)

) DOCKET NO. EPCRA-05-2008-0005
)
)
)

NOTICE OF FILING

Attached hereto is a copy of the Presiding Officer's correspondence by email with the parties dated August 20, 2008.

Date: August 21, 2008



Marcy A. Toney
Presiding Officer

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IN THE MATTER OF Libra Industries, Inc.,
Docket No. EPCRA-05-2008-0005

CERTIFICATE OF SERVICE

I certify that the foregoing Notice of Filing, dated August 21, 2008, was sent this day in the following manner to the addressees:

Original hand delivered to:

Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590Copy hand delivered to
Attorney for Complainant:Ann L. Coyle
U.S. Environmental Protection
Agency, Region 5
Office of Regional Counsel
77 West Jackson Boulevard
Chicago, Illinois 60604-3590Copy by U.S. mail first
class to:Harold O. Maxfield, Jr.
Max E. Dehn
Cavitch Familo Durkin & Frutkin
Fourteenth Floor
1717 East Ninth Street
Cleveland, OH 44114-2876

Dated:

8/21/08

By:


Darlene Weatherspoon
Administrative Program Assistant



Marcy Toney /R5/USEPA/US To

08/20/2008 10:39 AM

Subject **Libra Industries matter**

Good morning, counsel:

I received a message from Mr. Dehn's office this morning inquiring as to the status of this matter and when I might anticipate issuing a decision on the pending motions. To avoid any problems with ex parte communications (40 CFR 22.8), I am responding to both of you via email.

The matter is currently under review. I hope to be able to issue a decision within the next two weeks, depending of course on the demands of other pending matters.

Marcy A. Toney
Ethics Attorney and
Regional Judicial Officer
Office of Regional Counsel
USEPA Region V (C-14J)
77 West Jackson Blvd.
Chicago, IL 60604-3590
(312) 886-3186
(312) 886-0747 (fax)

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