

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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US EPA REGION V

2007 DEC 19 AM 10:56

IN THE MATTER OF:)
)
South Holland Metal Finishing Co., Inc.,)
)
)
)
Respondent.)

DOCKET NO. RCRA-05-2007-0014

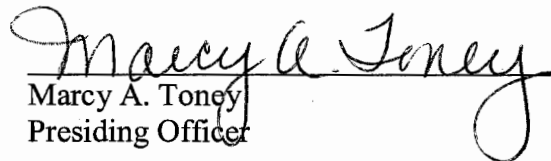
ORDER GRANTING MOTION FOR EXTENSION OF TIME

Respondent South Holland Metal Finishing Co., Inc. has filed its second motion for an extension of time in which to respond to Complainant's First Amended Complaint in this matter. Respondent states that the parties are "actively engaged" in negotiations to resolve this matter and counsel for Complainant does not object to an extension. Respondent further states in its motion, however, that it has been engaged in settlement discussions for some time, apparently over the course of the last year. Counsel is advised that under the Consolidated Rules, 40 C.F.R. § 22.7(b), good cause must exist for extensions of time. Continuous recitation of "ongoing settlement discussions" does not constitute good cause. In addition, even unopposed motions should be filed before the date a pleading is due. See 40 C.F.R. § 22.7(b).

Respondent's motion for extension of time is hereby GRANTED and Respondent shall have until **January 16, 2007**, to file its answer or otherwise plead in this matter. Further motions for extension of time will be viewed with disfavor.

IT IS SO ORDERED.

Date: December 19, 2007


Marcy A. Toney
Presiding Officer

IN THE MATTER OF South Holland Metal Finishing Co., Inc., Respondent,
Docket No. RCRA-05-2007-0014

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CERTIFICATE OF SERVICE

I certify that the foregoing Order Granting Motion for Extension of Time, dated December 19, 2007, 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 60604-3590

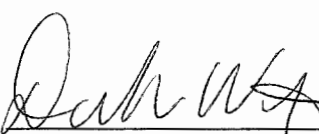
Copy hand delivered to
Attorney for Complainant:

Thomas J. Kenney
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Agency, Region 5
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Dated: 12/19/07

By: 
Darlene Weatherspoon
Administrative Program Assistant