

1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001
tel. 202.434.4100
fax 202.434.4646

Writer's Direct Access
Eric P. Gotting
(202) 434-4269
gotting@khlaw.com

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 OCT 26 A 12:41
REGIONAL HEARING
CLERK

October 25, 2012

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Re: Landers-Segal Color Co.

Dear Ms. Maples:

Please find enclosed the original and a copy of the Respondent's Unopposed Motion for Extension of Time to File Answer filed on behalf of Respondent, Landers-Segal Color Co., Inc.

Sincerely,



Eric P. Gotting

Enclosure

cc: Carl R. Howard
Helen Ferrara

4817-5150-7217, v. 1

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
LANDERS-SEGAL COLOR CO., INC.)
d/b/a Lansco)
Respondent.) Docket No. TSCA-02-2012-9245
)
)
Proceeding under Section 16(a) of the)
Toxic Substances Control Act)
)

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG-11
2012 OCT 26 A 12:41
FEDERAL HEARING
CLERK

**RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
ANSWER**

Respondent, Landers-Segal Color Co., Inc. ("LANSCO"), by and through its undersigned counsel, pursuant to Rule 22.7(b) of the Consolidated Rules of Practice (40 C.F.R. § 22.7(b)), respectfully requests a fifth unopposed extension of time to file its Answer to the Complaint, and as good cause therefore states as follows:

1. The Complaint in this matter was received by LANSCO on March 22, 2012, thus making the Answer due on or before April 23, 2012;
2. On April 11, 2012, LANSCO filed an unopposed motion for an extension of time to file the Answer so that the parties could engage in informal settlement discussions in an effort to resolve this case without incurring the time and expense of litigating this dispute;
3. On April 18, 2012, the Regional Judicial Officer granted the unopposed motion, setting the due date for the Answer on or before June 5, 2012;
4. On May 30, 2012, LANSCO filed a second unopposed motion for an extension of time to file the Answer as the parties were actively engaged in settlement

negotiations and believed that the additional requested time would facilitate a resolution to this case;

5. On May 30, 2012, the Regional Judicial Officer granted the unopposed motion, setting the due date for the Answer on or before July 20, 2012;
6. On July 12, 2012, LANSCO filed a third unopposed motion for an extension of time to file the Answer as the parties had continued negotiations and reached a tentative settlement, but required additional time to finalize the agreement;
7. On July 24, the Regional Judicial Officer granted the unopposed motion, making it retroactive to July 20, 2012 and setting the due date for the Answer on or before September 3, 2012;
8. On August 27, 2012, LANSCO filed a fourth unopposed motion for an extension of time to file the Answer as Complainant indicated that additional time was required to secure management approval;
9. On September 4, 2012, the Regional Judicial Officer granted the unopposed motion, making it retroactive to September 3, 2012 and setting a due date for the Answer on or before November 1, 2012;
10. On October 24, 2012, prior to filing this Motion, counsel for LANSCO and the Complainant discussed the Answer due date, at which time Complainant indicated that additional time would be required for management approval of the proposed settlement, which is expected sometime prior to December 31, 2012. As such, Complainant does not oppose this request for an extension of time; and
11. Based on the foregoing, LANSCO requests an extension of time to file the Answer on or before December 31, 2012.

Accordingly, no prejudice to either party will result from granting this Motion. This Motion is timely filed, as it is sufficiently in advance of the Answer due date.

October 25, 2012



Douglas J. Behr
Eric P. Gotting
Keller and Heckman LLP
1001 G St., NW, Suite 500 West
Washington, DC 20001
Phone: (202) 434-4100
Fax: (202) 434-4646
behr@khlaw.com
gotting@khlaw.com

Counsel for Respondent LANSCO

CERTIFICATE OF SERVICE

I certify that the foregoing Respondent's Unopposed Motion for Extension of Time to File Answer, dated October 25, 2012, was sent this day via Federal Express, overnight delivery, to the addresses listed below:

Original and one copy to:

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Copy to:

Helen Ferrara
Regional Judicial Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007

A copy was sent via regular mail and email to the following address:

Carl R. Howard
Assistant Regional Counsel
Office of Regional Counsel
Waste and Toxic Substances Branch
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1366

An email copy was sent to Helen Ferrara, Regional Judicial Clerk.

October 25, 2012



Eric P. Gotting
Keller and Heckman LLP
1001 G St., NW, Suite 500 West
Washington, DC 20001
Phone: (202) 434-4100
Fax: (202) 434-4646
gotting@khlaw.com