

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

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In the Matter of :
 :
Rome Gas Inc., : Docket No. RCRA-02-2017-7504
 :
Respondent. :
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MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER

Pursuant to Sections 22.7 and 22.16 of Title 40 of the Code of Federal Regulations, Respondent and Complainant jointly request a 40-day extension of time to file an Answer to the Complaint in the above-captioned matter through and including March 6, 2018.

The Complaint was filed on September 29, 2017 and received by Respondent on October 6, 2017, thus the Answer was due on November 6, 2017. Respondent requested time and the opportunity to present additional evidence related to allegations in the Complaint. On October 31, 2017, an extension of time to Answer was granted through and including December 5, 2017. On December 5, 2017, an extension of time to Answer was granted through and including January 19, 2018.

Respondent is *pro se* and the Complaint allegations pertain to 10 gas stations in various locations in New York. On November 16, 2017, Respondent provided documentation to address some of the allegations in the Complaint. Respondent and Complainant met on November 30, 2017 at which time Respondent provided more data. Respondent indicated that additional files were available in response to the allegations. On December 27, 2017, Respondent submitted overfill verification tests. On January 9, 2018, Respondent emailed evidence of a line leak detection repair. On February 2, 2018, Respondent submitted work orders to document sensor equipment repairs. To supplement this recent submission, Complainant has requested additional documentation. According to Respondent, since the company office has relocated several records have been boxed and will need to be retrieved. Additionally, some records will need to be requested from gas station operators/tenants. Respondent expects to have the information submitted by February 28, 2018.

Based on the foregoing, Respondent and Complainant jointly request a 40-day extension of time to Answer, through and including March 6, 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "KL Taylor", is written over a horizontal line.

Karen L. Taylor, Esq.

Office of Regional Counsel

U.S. Environmental Protection Agency, Region 2

290 Broadway, 16th floor

New York, NY 10007-1866

phone: (212) 637-3637

Dated: February 8, 2018

In the Matter of Rome Gas Inc.
Docket No. RCRA-02-2017-7504

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER, bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and One Copy
by Hand:

Office of Regional Hearing Clerk
U.S. Environmental Protection
Agency - Region 2
290 Broadway, 16th floor
New York, NY 10007-1866

Copy
by Hand:

Helen S. Ferrara
Regional Judicial Officer
U.S. Environmental Protection
Agency - Region 2
290 Broadway, 16th floor
New York, NY 10007-1866

Copy by
First Class Mail:

Mr. John Tal
Vice President
Rome Gas Inc.
114 Danberry Circle
New Hartford, NY 13413

Dated: February 9, 2018
New York, NY

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