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OF COUNSEL

PHILIP LINDEMAN II ^Δ

August 4, 2010

By Email and First Class Mail

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

^ΔNJ & NY

Re: Matter of Fiabila USA Incorporated
Dkt. No. RCRA-02-2010-7108

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. 2
2010 AUG 10 PM 3:45
REGIONAL HEARING
CLERK

CONSENT REQUEST FOR EXTENSION OF TIME TO ANSWER

TO THE HONORABLE REGIONAL JUDICIAL OFFICER:

We represent the Respondent, Fiabila USA Incorporated, and hereby enter our appearance in the above referenced matter.

We submit this letter, on consent of the U.S. Environmental Protection Agency, by its Assistant Regional Counsel, Gary H. Nurkin, Esq., as an informal application to respectfully request that Your Honor grant an enlargement of time for Respondent to answer the Complaint filed by the EPA in this matter to and including Thursday, **September 16, 2010.**

The Complaint was served by mail on July 9, 2010 (see postmark annexed) and received by Respondent on or about July 12. The answer, without an extension, would therefore be due August 11, 2010. The additional time is needed due to scheduling conflicts.

Hon. Helen Ferrara, R.J.O.

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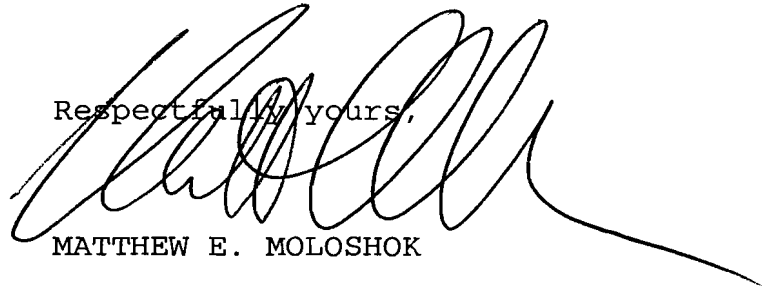
August 4, 2010

I have spoken today with Mr. Nurkin, who represents the EPA as complaint counsel in this matter, and he has graciously consented to this application.

If this application for an enlargement of the time to answer meets with Your Honor's approval, kindly "So Order" this letter and have the Regional Hearing Clerk return a copy marked to reflect entry to us in the postage-paid, self-addressed envelope enclosed.

If Your Honor requires a more formal application, then we will, of course, follow Your Honor's directions in that regard.

Respectfully yours,

A large, stylized handwritten signature in black ink, appearing to read 'Matthew E. Moloshok', is written over the typed name below it.

MATTHEW E. MOLOSHOK

MEM:sb

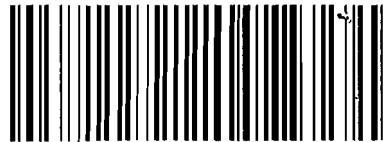
Attachment - postmark

cc: (by email and First Class Mail)
Karen Maples, Regional Hearing Clerk
Gary H. Nurkin, Esq., Assistant Regional Counsel

U.S. ENVIRONMENTAL PROTECTION AGENCY
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