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December 21, 2016

VIA HAND DELIVERY

Wanda I. Santiago
Regional Hearing Clerk
U.S. EPA, Region 1
5 Post Office Square – Suite 100
Mail Code: ORA18-1
Boston, MA 02190-3912



Re: ***In the Matter of: ChemArt Company***
Docket Nos. CAA-01-2016-0074, RCRA-01-2016-0075

Dear Ms. Santiago:

Enclosed for filing in the above-captioned matter please find the original and one copy of Respondent ChemArt's Request for Clarification of Order Issued in Response to Second Motion for Extension of Time to Answer, and Certificate of Service.

Thank you for your assistance.

Sincerely,

Ruth H. Silman

Enclosure

cc: William D. Chin, Esq., Enforcement Counsel, EPA Region 1 (Via Hand Delivery)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

RECEIVED

DEC 21 2016

EPA ORC
Office of Regional Hearing

In the Matter of:)
)
ChemArt Company)
11 New England Way)
Lincoln, RI 02865)
)
Respondent.)
)
Proceeding under Section 113(d) of)
the Clean Air Act, 42 U.S.C. § 7413(d),)
and Section 3008(a) of the Resource)
Conservation and Recovery Act,)
42 U.S.C. § 6928(a))
_____)

Docket Nos.
CAA-01-2016-0074
RCRA-01-2016-0075

**REQUEST FOR
CLARIFICATION OF ORDER
ISSUED IN RESPONSE TO
SECOND MOTION FOR
EXTENSION OF TIME TO
FILE AN ANSWER**

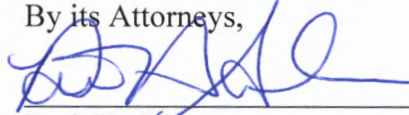
**REQUEST FOR CLARIFICATION OF ORDER ISSUED
IN RESPONSE TO
SECOND MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER**

ChemArt Company (“Respondent”) respectfully requests clarification regarding the December 14, 2016 Order granting a second forty-five day extension of time to file an Answer to the Complaint, attached hereto as Exhibit A. In that December 14, 2016 Order, the Acting Regional Judicial Officer states that the deadline “is extended until the close of business on Monday, December 19, 2016.”

In ChemArt’s Second Motion for Extension of Time to File an Answer, ChemArt requested an additional forty-five (45) day extension of the time (i.e., until February 2, 2017). The deadline of December 19, 2016 was from the first Order dated October 31, 2016. ChemArt believes that the December 14, 2016 Order contains an inadvertent typographical error and that the new deadline was not updated to be February 2, 2017.

WHEREFORE, Respondent ChemArt respectfully requests that the Acting Regional Judicial Officer clarify that the new deadline for ChemArt to file an Answer to the Complaint is February 2, 2017.

Respectfully submitted,
CHEMART COMPANY,
By its Attorneys,



Ruth H. Silman
Nixon Peabody LLP
100 Summer Street
Boston, MA 02110
(617) 345-6062
rsilman@nixonpeabody.com

Dated: December 21, 2016

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the foregoing Second Motion for Extension of Time to File an Answer was hand delivered on this 21st day of December, 2016 to the following:

Wanda I. Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square – Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

I hereby certify that a copy of the foregoing Motion for Extension of Time to File an Answer was hand delivered on this 21st day of December, 2016 to the following:

William D. Chin, Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square – Suite 100
Mail Code: OES04-4
Boston, MA 02109-3912



Ruth H. Silman



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

IN THE MATTER OF:)
)
ChemArt Company)
11 New England Way)
Lincoln, RI)
)
Respondent.)

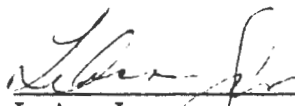
**Order Granting Extension
of Time to File Answer to
the Complaint**

EPA Docket Nos.
CAA-01-2016-0074
RCRA-01-2016-0075

ORDER

In accordance with 40 C.F.R. §§ 22.7(b) and 22.16(c), for good cause shown, the Respondent is granted a forty-five day extension of time to file an Answer to the Complaint. Accordingly, the deadline for Respondent to file an Answer to the Complaint is extended until the close of business on Monday, December 19, 2016.

Dated: December 14, 2016



LeAnn Jensen
Acting Regional Judicial Officer

In the Matter of ChemArt Company
Docket No. CAA-01-2016-0074 & EPCRA-01-2016-0075

CERTIFICATE OF SERVICE

I certify that on this 14th day of December, 2016 the original foregoing Order was filed with the Regional Hearing Clerk, a copy was hand-delivered to Counsel for Complainant, and a copy was mailed by certified mail, return receipt requested, to Counsel for Respondent.

12/14/16
Date

Wanda I. Santiago
Wanda I. Santiago
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U.S. EPA Region I
5 Post Office Square, Suite 100
Mail code ORA 18-1
Boston, MA 02109-3912

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