

# Hatchett & Hauck LLP

**David L. Hatchett**

Attorney at Law

Direct: 317.464.2621

david.hatchett@h2lawyers.com

111 Monument Circle, Suite 301

Indianapolis, IN 46204-5124

Main: 317.464.2620

Fax: 317.464.2629

September 3, 2009

Via Fed-Ex Next Day Delivery

Regional Hearing Clerk (E-19J)  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

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SEP 04 2009  
REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY.

Re: *In the Matter of: Creative Liquid Coatings, Inc., Elite Enterprises, Inc. and Randall Geist*  
Docket Nos. RCRA-05-2009-0012 and RCRA-05-2009-0013

Dear Clerk:

Enclosed for filing please find an original and one copy of the following documents:

- Creative Liquid's and Randall Geist's Unopposed Motion for Extension of Time to Respond to U.S. EPA's Complaints and Compliance Orders
- Proposed Order on Creative Liquid's and Randall Geist's Unopposed Motion for Extension of Time to Respond to U.S. EPA's Complaints and Compliance Orders

Please file-stamp the Motion and return a file-stamped copy in the enclosed self-addressed, stamped envelope. Thank you very much for your assistance. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,



David L. Hatchett

DLH:djl

Enclosures

Cc: Regional Judicial Officer, U.S. EPA  
Richard J. Clarizio, U.S. EPA

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 5**

IN THE MATTER OF: )  
 )  
Creative Liquid Coatings, Inc. )  
(formerly doing business as Creative Coatings, Inc.) )  
2701 S. Coliseum Blvd. )  
Suite 1284 )  
Fort Wayne, IN 46803 )  
 )  
U.S. EPA ID No. INR 000 109 322 )  
 )  
Elite Enterprises, Inc. )  
 )  
                  AND )  
 )  
Randall Geist )  
 )  
Respondents )

DOCKET NO. RCRA-05-2009-0012  
DOCKET NO. RCRA-05-2009-0013

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PROTECTION AGENCY

**CREATIVE LIQUID'S AND RANDALL GEIST'S UNOPPOSED MOTION**  
**FOR EXTENSION OF TIME TO RESPOND TO**  
**U.S. EPA'S COMPLAINTS AND COMPLIANCE ORDERS**

Pursuant to 40 C.F.R. § 22.7(b), Creative Liquid Coatings, Inc. ("Creative Liquid") and Randall Geist (collectively, "Moving Respondents") hereby file this Unopposed Motion for Extension of Time to Respond to U.S. EPA's Complaints and Compliance Orders, respectfully requesting an extension of time up to and including September 25, 2009 to respond to U.S. EPA's Complaints and Compliance Orders filed under Docket Nos. RCRA-05-2009-0012 and RCRA-05-2009-0013 ("Complaints"). Moving Respondents state in support:

1. U.S. EPA filed the Complaints on or about August 4, 2009 and served them upon one or more Respondents via certified mail.
2. It appears that the complaint filed in Docket No. RCRA-05-2009-0012 is directed toward Moving Respondents; however, to the extent the complaint filed in Docket No. RCRA-05-2009-0013 is directed toward Moving Respondents, Moving Respondents respectfully submit this motion to request additional time to answer one or both Complaints.

3. The time for Creative Liquid and Randall Geist to respond to the Complaints has not expired as of this filing.

4. Neither Creative Liquid nor Randall Geist has previously sought any extension of time to respond to the Complaints.

5. This Motion for Extension is for good cause and not for purposes of delay.

6. Counsel for U.S. EPA has been contacted regarding this request for additional time and does not oppose it, stating in an e-mail response:

This is to confirm that Region 5 will not object to your request for an extension before the RJO/ALJ to file an answer by September 25, 2009, for Creative Liquids Coatings and Randall Geist. This is based on your statements that your firm represents Creative Liquid Coatings and Mr. Geist; that you do not represent Elite Enterprises; that you need an extension because your firm was recently retained by them; and the request is limited solely to Creative Liquid Coatings and Mr. Geist.

WHEREFORE, Moving Respondents respectfully request an extension of time up to and including September 25, 2009 to respond to U.S. EPA's Complaints.

Respectfully submitted,



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David L. Hatchett (IN #19383-49)  
Jaime K. Saylor (IN #25083-91)  
HATCHETT & HAUCK LLP  
111 Monument Circle, Suite 301  
Indianapolis, Indiana 46204-5124  
Phone: 317.464.2620  
FAX: 317.464.2629

Attorneys for Creative Liquid Coatings, Inc.  
Attorneys for Randall Geist

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PROTECTION AGENCY

**CERTIFICATE OF SERVICE**

I certify that on the 3rd day of September, 2009, service of a true and complete copy of the foregoing was made upon each party or attorney of record herein by overnight delivery:

Regional Judicial Officer (C-14J)  
U.S. Environmental Protection Agency,  
Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Richard J. Clarizio  
Associate Regional Counsel  
Office of the Regional Counsel  
U.S. Environmental Protection Agency,  
Region 5  
77 West Jackson Boulevard (C-14J)  
Chicago, Illinois 60604-3590

Regional Hearing Clerk (E-19J)  
U.S. Environmental Protection Agency,  
Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

  
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