

# MANKO | GOLD | KATCHER | FOX LLP

AN ENVIRONMENTAL AND ENERGY LAW PRACTICE

Bryan P. Franey  
484-430-2308  
bfraney@mankogold.com

Admitted in PA and NJ

401 CITY AVENUE, SUITE 901  
BALA CYNWYD, PA 19004  
TEL: 484-430-5700  
FAX: 484-430-5711  
WWW.MANKOGOLD.COM

January 28, 2016

Via Overnight Mail

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

PHILADELPHIA, PA  
\*CHERRY HILL, NJ  
WILLIAMSPORT, PA  
by appointment only  
\*Partner responsible - Bruce S. Katcher  
U.S. Environmental  
Protection Agency-Reg 2  
REGIONAL HEARING  
CLERK  
JAN 29 AM 11:43

Re: Docket No. CWA-02-2015-3401

Dear Ms. Ferrara:

Enclosed please find a Motion requesting an extension of time to file an Answer in the matter of The Skydyne Company, Docket No. CWA-02-2015-3401. Please contact me if you have any questions.

Respectfully submitted,



Bryan P. Franey  
For MANKO, GOLD, KATCHER & FOX, LLP

BFP/nav/12368-001

Enclosure

cc: Karen Maples, Regional Hearing Clerk (Via Overnight Mail)  
Kara Murphy, Office of Regional Counsel (Via Email and First Class Mail)

U.S. Environmental  
Protection Agency-Reg 2

2016 JAN 29 AM 11: 43

REGIONAL HEARING  
CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

IN THE MATTER OF: \_\_\_\_\_ :  
 :  
The Skydyne Company :  
 :  
 :  
Respondent :  
\_\_\_\_\_ :

Docket No. CWA-02-2015-3401

**MOTION FOR EXTENSION OF TIME TO FILE ANSWER**

Pursuant to 40 C.F.R. § 22.16, Respondent, The Skydyne Company (“Skydyne”), requests that the Regional Judicial Officer grant a six (6) month extension of time for Respondent to file an Answer in this proceeding.

Respondent received the Complaint on February 9, 2015. The Regional Judicial Officer granted prior motions filed by Respondent to extend the time by which the Skydyne may file an Answer to the Complaint. The current date by which Skydyne may file an Answer to the Complaint is February 8, 2016 pursuant to the Order Granting an Extension of Time to File An Answer to the Complaint issued by the Regional Judicial Officer on November 10, 2015.

Since the last extension, the parties have continued to confer by telephone and exchange information related to the Complaint. In addition, the parties have reached a preliminary settlement agreement and have started work on an agreement to memorialize the settlement. Accordingly, Respondent believes that, at this time, the parties’ resources would best be spent on continued settlement negotiations rather than on preparation of an Answer to the Complaint. The parties are requesting a six month extension with the hope that no further extensions will be necessary.

Kara Murphy, EPA Region 2 legal counsel in this proceeding, confirmed that EPA supports this motion.

Respondent therefore respectfully requests that the Regional Judicial Officer grant this motion for an additional six (6) month extension of time, from February 8, 2016 to August 8, 2016 for Respondent Skydyne to file its Answer.

Respectfully submitted,



Dated: January 28, 2016

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Bryan P. Franey  
Manko, Gold, Katcher & Fox, LLP  
401 City Avenue  
Suite 901  
Bala Cynwyd, PA 19004  
(484) 430-2308

Attorney for Respondent  
The Skydyne Company

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion for Extension of Time to File an Answer was delivered in the following manner to the addressees listed below:

**Original and One Copy by Overnight Mail:**

Karen Maples, Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16th Floor (Room 1631)  
New York, NY 10007-1866

**One copy by Overnight Mail:**

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

**One copy by First Class Mail and E-mail:**

Kara Murphy, Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16th Floor  
New York, NY 10007-1866

Date Sent: January 28, 2016



Signed: \_\_\_\_\_

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

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IN THE MATTER OF: :  
: :  
The Skydyne Company : :  
: : Docket No. CWA-02-2015-3401  
: :  
Respondent : :  
: :

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**ORDER GRANTING AN EXTENSION OF TIME TO FILE AN  
ANSWER TO THE COMPLAINT**

By *Motion for Extension of Time to File Answer* dated January 28, 2016, Respondent requested, for good cause shown and with the concurrence of EPA, a third extension of time in which Respondent may file an answer to EPA's Complaint. Based on the information provided by Respondent, an extension through August 8, 2016 is hereby granted.

**Effective Date**

The effective date of this Order shall be the date it is signed by the Regional Judicial Officer, below.

Date: \_\_\_\_\_

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Helen S. Ferrara  
Regional Judicial Officer  
U.S. Environmental Protection Agency  
290 Broadway  
New York, N.Y. 10007-1866