

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

IN THE MATTER OF:)
)
Southern Class Trucking, Inc.) Docket No. CWA-04-2007-5188
)
_____)

ORDER GRANTING MOTION FOR EXTENSION OF TIME

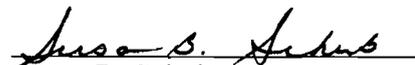
On October 11, 2007, Respondent, Southern Class Trucking, Inc., filed a Motion for Extension of Time (Motion) in the above-captioned matter. Respondent seeks a thirty (30) day extension of time to file an answer to the Complaint which was filed in this matter on September 10, 2007. The basis for Respondent's Motion is that it is working on inability to pay documentation for the purpose of reaching a settlement. Furthermore, Respondent indicates that Complainant is unopposed to granting an extension of time.

Although Respondent filed an original of its Motion with the Regional Hearing Clerk and provided a copy to counsel for Complainant, Respondent failed to provide a second copy of the Motion and an accompanying Certificate of Service as required by Section 22.5 of the Consolidated Rules of Practice governing this proceeding, 40 CFR § 22.5. However, Complainant has not been prejudiced by these technical deficiencies.¹ Therefore, based upon the reasons set forth in the motion and the fact that Complainant does not oppose granting the Motion, granting Respondent's Motion is appropriate.

IT IS ORDERED:

1. Respondent's Motion is hereby granted. An Answer to the Complaint is due on or before **November 15, 2007**.
2. Any and all further pleadings filed by the parties in this matter are to meet the requirements set forth in the Consolidated Rules of Practice.

Dated: Oct 15, 2007


Susan B. Schub
Regional Hearing Clerk

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HEARING CLERK

¹ Counsel for Complainant sent an electronic message to the Regional Hearing Clerk on October 15, 2007, indicating that she received a copy of the Motion.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Order Granting Motion for Extension of Time, in the Matter of Southern Class Trucking, Inc., Docket No., CWA-04-2007-5188, on the parties listed below in the manner indicated:

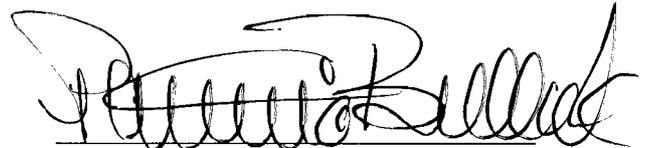
Carol Moxon
Southern Class Trucking, Inc.
1997 Hwy. 341 S.
Yatesville, Ga. 31097

(Certified Mail – Return
Receipt Requested)

Colleen E. Michuda, Esq.
U.S. Environmental Protection Agency
Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

(via Intra-Office Mail)

Date: 10-15-07



Patricia A. Bullock
Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303
404/562-9511