

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
BEFORE THE ADMINISTRATOR

RECEIVED

In the Matter of:)
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SIMONIZ USA, INC.)
201 Boston Turnpike)
Bolton, CT 06043)
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Respondent.)
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Docket Nos.

2008 JAN 27 P 12: 54
EPCRA-01-2008-0110
CAA-01-2008-0111
OFFICE OF
REGIONAL HEARING CLERK

ASSENTED TO MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Pursuant to 40 C.F.R. § 22.16, Respondent, Simoniz USA, Inc., requests that the Presiding Officer grant a thirty (30) day extension of time for Respondent to file an Answer in this proceeding.

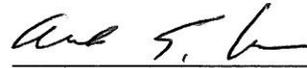
Respondent received the Complaint in this matter by certified mail on or about October 2, 2008. The Presiding Officer granted three previous requests for extensions of the time to answer; the current extension expires at the close of business on January 30, 2009. This request is the Respondent's fourth request for an extension.

An extension is warranted to afford Respondent and EPA the opportunity to continue exploring a settlement of this matter. Respondent proposed a settlement including several supplemental environmental projects on December 4, 2008, and has since been in regular contact with EPA about these projects, answering all questions about how they would work and how much they would cost. Respondent expects to have further discussions with EPA over the next several weeks.

Respondent respectfully requests that this thirty (30) day extension of time be granted for the filing of an Answer in this matter, extending the time to file an Answer to the close of business on March 1, 2009.

On January 23, 2009, Wesley Kelman, EPA enforcement counsel for this matter, informed Respondent that EPA assents to this motion.

For Respondent:



Mark E. Kershaw
Chief Financial Officer
Simoniz USA, Inc.
201 Boston Turnpike
Bolton, CT 06043
(860) 646-0172

Dated: January 23, 2009

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Extension of Time to File an Answer was placed in the mail on January 23, 2009 for delivery to the addresses below:

Original and one copy by
Fedex to:

Wanda Santiago
Regional Hearing Clerk
Environmental Protection Agency
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114-2023

Copy by Fedex to:

LeAnn Jensen
Regional Judicial Officer, EPA Region 1
Environmental Protection Agency
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114-2023

Copy by first-class mail and fax to:

Wesley Kelman
Enforcement Counsel
Environmental Protection Agency, Region I
One Congress Street, Suite 1100 (SES)
Boston, MA 02114-2023

Signed:



Mark E. Kershaw
Chief Financial Officer
Simoniz USA, Inc.
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Signed:



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