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October 26, 2018

**BY FEDERAL EXPRESS OVERNIGHT DELIVERY
AND BY E-MAIL**

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
E-Mail: santiago.wanda@epa.gov

Re: In the Matter of: Bedoukian Research, Inc.
U.S. EPA Docket No. RCRA-01-2018-0063

Dear Ms. Santiago:

Enclosed for filing in the above-referenced matter are the original and one copy of the Unopposed Motion of Respondent for Extension of Time to File Answer, and Request for Hearing of the Respondent, Bedoukian Research, Inc. ("BRI").

Pursuant to 40 C.F.R. § 22.5, and as indicated in the enclosed Certificate of Service, copies of this Unopposed Motion of Respondent for Extension of Time to File Answer, and Request for Hearing have also been served on Steven J. Viggiani, Senior Enforcement Counsel, U.S. Environmental Protection Agency, Region 1, in his capacity as Attorney for Complainant, and on LeAnn Jensen, Regional Judicial Officer, U.S. Environmental Protection Agency, Region 1.

I would appreciate it if you would please send me an e-mail confirming your receipt and filing of the enclosed Unopposed Motion of Respondent for Extension of Time to File Answer, and Request for Hearing at your earliest possible convenience.

If you have any questions about the enclosed documents, please do not hesitate to contact me at (202) 789-6052 or agoldberg@bdlaw.com.

Wanda I. Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
October 26, 2018
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Thank you in advance for your assistance in this matter.

Sincerely yours,



Aaron H. Goldberg
Counsel for Respondent
Bedoukian Research, Inc.

Enclosures

cc: Steven J. Viggiani
Senior Enforcement Counsel
U.S. Environmental Protection Agency, Region 1

LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

_____)	
In the Matter of:)	
)	
Bedoukian Research, Inc.)	Docket No. RCRA-01-2018-0063
21 Finance Drive)	
Danbury, Connecticut 06810)	
)	UNOPPOSED MOTION OF RESPONDENT
)	FOR EXTENSION OF TIME TO FILE
Proceeding under Section 3008(a))	ANSWER, AND REQUEST FOR HEARING
of the Resource Conservation and)	
Recovery Act, 42 U.S.C. § 6928(a))	
)	
_____)	

**UNOPPOSED MOTION OF RESPONDENT FOR EXTENSION OF TIME
TO FILE ANSWER, AND REQUEST FOR HEARING**

Pursuant to Rule 22.7(b) of the Consolidated Rules of Practice (40 C.F.R. § 22.7(b)), Respondent Bedoukian Research, Inc. (“BRI”), by and through its attorneys, hereby requests an extension of time to December 3, 2018 to file its Answer in this matter. Counsel for Complainant, U.S. Environmental Protection Agency Region 1 (“EPA”), has authorized undersigned counsel for BRI to represent that EPA does not oppose this Motion.

As good cause in support of this request, BRI states as follows:

(1) Under 40 C.F.R. § 22.15(a), BRI’s Answer is due within 30 days after service of the Complaint. Service of the Complaint is complete “when the return receipt is signed.” 40 C.F.R. § 22.7(c).

(2) To the best of BRI’s knowledge, information, and belief, the return receipt was signed on October 2, 2018, and thus the Answer is currently due on November 1, 2018.

(3) EPA’s Complaint raises diverse and complex legal and factual issues with respect to dozens of pieces of equipment at BRI’s facility in Danbury, Connecticut. In light of the

number and complexity of the issues raised, BRI needs substantial time to understand all the allegations and to develop a careful and thoughtful response.

(4) EPA and BRI have scheduled a meeting on October 31, 2018, to discuss the allegations in EPA's Complaint and to explore whether this matter can be resolved without the need for further proceedings, which would serve the interest of judicial economy and enable the parties to avoid a potentially unnecessary expenditure of time and resources.

(5) BRI believes that an extension of time to December 3, 2018 may be sufficient for the parties to make substantial progress toward a resolution or, if necessary, for BRI to prepare its Answer. To the extent that one or both parties believe that further settlement discussions in advance of an Answer would be productive, or that a further extension of time for the Answer is otherwise warranted, BRI and/or EPA may file a motion for further extension of time in advance of December 3, 2018.

(6) An extension to December 3 corresponds to a 30-day extension, given that 30 days after the current due date of November 1 would be December 1, which is a Saturday, and the following Monday would be December 3, 2018.

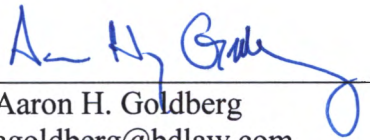
(7) Counsel for Complainant EPA has authorized undersigned counsel for BRI to represent that EPA does not oppose this Motion.

REQUEST FOR HEARING

In order to preserve its right to a public hearing under Section 3008(b) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(b), BRI hereby requests a hearing on all issues of fact and law raised in the Complaint, and on the propriety and magnitude of the proposed civil penalty and the requested actions under the Compliance Order. However, BRI respectfully requests that the scheduling of the hearing be delayed until one or both parties move

for scheduling of the hearing, so as to provide the parties reasonable time to try to reach a mutually agreeable resolution and so as to provide Respondent sufficient time to file its Answer, if necessary. In light of this request by BRI for a public hearing, the provisions of the Compliance Order will not become final or effective, as specified in RCRA § 3008(b), 42 U.S.C. § 6928(b).

Respectfully submitted,



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Suite 700
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(202) 789-6000

Counsel for Respondent
Bedoukian Research, Inc.

Dated: October 26, 2018

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Unopposed Motion of Respondent for Extension of Time to File Answer, and Request for Hearing was served this 26th day of October 2018 in the following manner on the addressees listed below:

Original and one copy
by Federal Express Overnight Delivery
and copy by E-Mail to:

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

E-Mail: santiago.wanda@epa.gov

Copy by Federal Express
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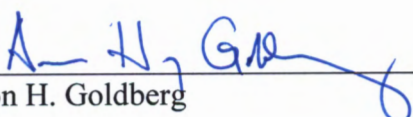
Attorney for Complainant
Steven J. Viggiani
Senior Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square
Suite 100, Mail Code OES04-3
Boston, MA 02109-3912

E-Mail: viggiani.steven@epa.gov

Copy by Federal Express
Overnight Delivery
and copy by E-Mail to:

LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1
5 Post Office Square
Suite 100, Mail Code ORC04-6
Boston, MA 02109-3912

E-Mail: jensen.leann@epa.gov



Aaron H. Goldberg

Dated: October 26, 2018