

# SCOLARO, SHULMAN, COHEN, FETTER & BURSTEIN, P.C.

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November 29, 2010

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BERNARD J. LAWLER  
(1940-1998)

*Via Express Mail*

No. EH 326446323 US

Regional Hearing Clerk  
U.S. EPA, Region 2  
290 Broadway, 16<sup>th</sup> Floor  
New York, New York 10007-1866

**Re: In the Matter Of: R. B. Robinson Contracting, Inc.**  
**Docket No.: SDWA-02-2011-8901**

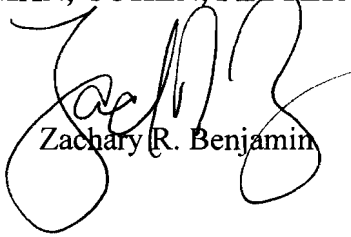
Dear Sir or Madam:

In accordance with Sections 22.16 and 22.5 of Title 40 of the United States Code of Federal Regulations, enclosed, please find one (1) original and one (1) copy of the Motion for Extension of Time to Answer Compliant, being submitted to the Presiding Regional Judicial Officer in connection with the above referenced proceeding.

Should you require anything further, please do not hesitate to contact the undersigned.

Sincerely,

SCOLARO, SHULMAN, COHEN, FETTER & BURSTEIN, P.C.

  
Zachary R. Benjamin

/zrb:523636.1  
enclosure

cc: R. B. Robinson Contracting, Inc. (Attn: Mr. Robert Robinson)

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2010 NOV 30 P 2:51  
REGIONAL HEARING  
CLERK

523367.1

BEFORE THE PRESIDING REGIONAL JUDICIAL OFFICER  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NEW YORK, NEW YORK

IN THE MATTER OF

R. B. ROBINSON  
CONTRACTING, INC.,

Respondent.

Docket No: SDWA-02-2011-8901

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2010 NOV 30 P 2:51  
REGIONAL HEARINGS  
CLERK

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

R. B. Robinson Contracting, Inc. ("Respondent"), the respondent in this matter, by and through its attorneys, Scolaro, Shulman, Cohen, Fetter & Burstein, P.C., and with the concurrence of the United States Environmental Protection Agency ("EPA"), moves for an extension of time until December 10, 2010 to submit its answer to the Complaint issued by the EPA in connection with this matter. The Respondent requests additional time to prepare and file its answer to the Complaint to ensure an orderly presentation of its answer, and to further explore the possibility of settlement with the EPA.

For the reasons stated above, the Respondent respectfully requests an extension of time until December 10, 2010 to submit its answer to the Complaint issued by the EPA.

Dated: November 29, 2010

Respectfully submitted,



Zachary R. Benjamin, Esq.  
SCOLARO, SHULMAN, COHEN, FETTER  
& BURSTEIN, P.C.

Attorneys for Respondent  
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507 Plum Street, Suite 300  
Syracuse, New York 13202  
Telephone: (315) 471-8111

523367.1

TO: Honorable Helen Ferrara, RJO  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16<sup>th</sup> Floor  
New York, New York 10007-1866

R. B. Robinson Contracting, Inc.  
Mr. Robert Robinson  
535 Ithaca Road  
Candor, New York 13743

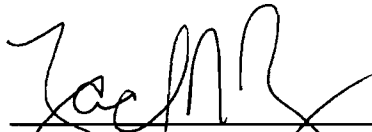
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MOTION FOR EXTENSION OF TIME TO ANSWER COMPLAINT in the matter of R. B. Robinson Contracting, Inc., Docket No. SDWA-02-2011-8901, were served by United States First Class Mail on the following persons, this 29<sup>th</sup> day of November, 2010:

Mr. Robert Robinson  
R. B. Robinson Contracting, Inc.  
535 Ithaca Road  
Candor, New York 13743

Dated: November 29, 2010



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