



BOND, SCHOENECK & KING, PLLC
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U.S. ENVIRONMENTAL
 PROTECTION AGENCY-REG. II
 VIRGINIA C. ROBBINS
 Direct: 315-218-8185
 vrob@bsk.com
 2007 NOV 29 AM 9:57
 REGIONAL HEARING
 CLERK

November 29, 2007

BY OVERNIGHT DELIVERY

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

Re: *Evans Chemetics, LP, Waterloo, NY*
Docket No. CAA-02-2007-1223

Dear Ms. Ferrara:

Enclosed please find an original and one copy of (a) a Motion for Extension of Time to File an Answer And Proposed Order, and (b) a proposed Order relating to the above referenced matter for your consideration.

Copies of this Motion and proposed Order have also been served upon the related parties in accordance with the enclosed Certificate of Service.

Thank you for your time and consideration.

Sincerely,

BOND, SCHOENECK & KING, PLLC

Virginia C. Robbins

VCR/sm
 Enclosures

cc (w/enclosures):

Ms. Karen Maples, Regional Hearing Clerk of the U.S. Environmental Protection Agency ✓
 Douglas Fischer, Esq., Assistant Regional Counsel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
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Regional Hearing
Clerk

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In the Matter of)
)
EVANS CHEMETICS, LP)
228 East Main Street)
Waterloo, New York 13165,)
)
Respondent.)
)
Proceeding under Section 113)
of the Clean Air Act,)
42 U.S.C. § 7413)
-----)

**MOTION FOR EXTENSION
OF TIME TO FILE AN ANSWER
AND PROPOSED ORDER**

Docket No. CAA-02-2007-1223

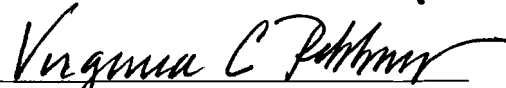
Respondent respectfully requests an extension of time to file an Answer to the above-captioned Complaint based on the following circumstances:

1. On October 11, 2007, Respondent filed a Motion for Extension of Time to File an Answer and Proposed Order, requesting additional time to permit a settlement conference to occur.
2. By Order dated October 15, 2007, Respondent was granted an extension through and including December 4, 2007.
3. On November 20, 2007, Respondent and Complainant met at the USEPA Region 2 offices and discussed possible settlement terms, including Respondent's possible performance of a Supplemental Environmental Project (SEP). However, despite progress, the parties require additional time to finalize the terms and conditions of an acceptable settlement agreement. Specifically, Respondent requires additional time to identify and formulate a SEP that is acceptable to Complainant as a condition of settlement and Complainant will require time for SEP review and approval.
4. Prior to filing this motion, counsel for Complainant indicated his consent to the proposed extension time.

WHEREFORE, Respondent, Evans Chemetics, LP, respectfully requests that this Motion for Extension of Time to File an Answer and Proposed Order be granted, thereby extending

Respondent's time to file an Answer through and including Thursday, January 31, 2008. If, despite all reasonable and good faith measures, Respondent and Complainant are unable to finalize an agreement by this date, Respondent will advise you in a timely manner if an additional extension of time will be requested.

Respectfully submitted,



Virginia C. Robbins, Esq.
Counsel for Respondent
Bond, Schoeneck & King, PLLC
One Lincoln Center
Syracuse, NY 13202
Telephone: 315-218-8182
Fax: 315-218-8100

DATED: November 29, 2007

**UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

-----X
In the Matter of :
 :
 :
EVANS CHEMETICS, LP :
228 East Main Street :
Waterloo, New York 13165, :
 :
Respondent. :
 :
Proceeding under Section 113 :
of the Clean Air Act, :
42 U.S.C. § 7413 :
-----X

**ORDER FOR EXTENSION OF TIME
TO FILE AN ANSWER**

Docket No. CAA-02-2007-1223

ORDER

This matter has come before this Presiding Officer on Respondent's request for an extension of time to file an Answer.

IT IS HEREBY ORDERED that the time in which Respondent may file its Answer to the Complaint in this action be and is hereby extended through and including January 31, 2008.

Dated: _____, 2007

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

CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2007, I caused to be sent by overnight delivery service for delivery on November 30, 2007, an original and one copy of the foregoing Motion for Extension of Time to File and Answer and proposed Order in the matter of Evans Chemetics, LP, bearing Docket Number CAA-02-2007-1223, to:

The Hon. Helen S. Ferrara
Regional Judicial Officer
United States Environmental Protection Agency
Region 2
290 Broadway
16th Floor
New York, New York 10007-1866

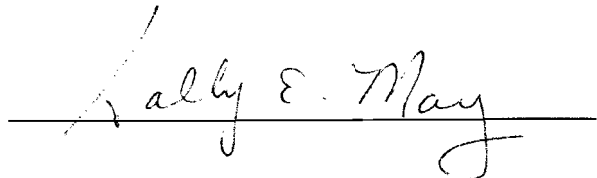
I also certify that on November 29, 2007, I also caused to be sent by first class mail a copy of the foregoing Motion for Extension of Time to File and Answer and proposed Order in the matter of Evans Chemetics, LP, bearing Docket Number CAA-02-2007-1223, to:

Regional Hearing Clerk of the United States Environmental Protection Agency
Region 2
290 Broadway
16th Floor
New York, New York 10007-1866

and

Douglas Fischer, Esq.
Assistant Regional Counsel of the United States Environmental Protection Agency
Region 2
290 Broadway
17th Floor
New York, New York 10007-1866

DATED: November 29, 2007

A handwritten signature in cursive script, reading "Kelly E. May", is written over a horizontal line.