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February 7, 2011

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U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2011 FEB 11 A 9:15
REGIONAL HEARING
CLERK

By Email and First Class Mail

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

**Re: Matter of Fiabila USA Incorporated
Dkt. No. RCRA-02-2010-7108**

CONSENT REQUEST FOR FOURTH EXTENSION OF TIME TO ANSWER

TO THE HONORABLE REGIONAL JUDICIAL OFFICER:

We represent the Respondent, Fiabila USA Incorporated. We submit this letter, with the consent of the U.S. Environmental Protection Agency, by its Assistant Regional Counsel, Gary H. Nurkin, Esq., as an informal application to respectfully request that Your Honor grant a fourth enlargement of time for Respondent to answer the Complaint filed by the EPA in this matter to and including **Monday, April 18, 2011**.

The Complaint was served by mail on July 9, 2010. The answer was originally due on August 11, 2010. By consent, Your Honor has previously issued orders that have extended the time to answer to February 15, 2011. EPA Regional Counsel has agreed to the additional extension to April 18.

Respondent and the EPA have been engaged in substantive discussions toward a consent resolution and those continue to progress. The purpose of the further extension is to avoid the costs and burdens of answering

Hon. Helen Ferrara, R.J.O. - 2 -

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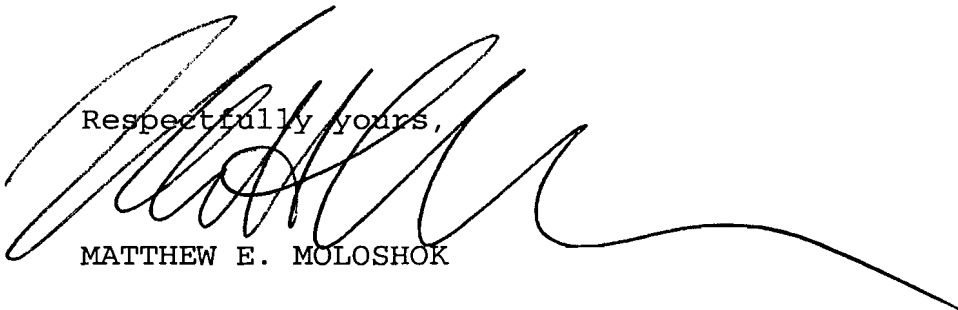
the Complaint, so all efforts may continue to be dedicated to those discussions.

I spoke to Mr. Nurkin, who represents the EPA as Complaint Counsel in this matter, and he has graciously consented to this application.

If this application for a further enlargement of Respondent's time to answer meets with Your Honor's approval, kindly "So Order" this letter and have the Regional Hearing Clerk return a copy marked to reflect entry to us in the postage-paid, self-addressed envelope enclosed.

If Your Honor requires a more formal application, then we will, of course, follow Your Honor's directions in that regard.

Respectfully yours,

A large, stylized handwritten signature in black ink, appearing to read 'Matthew E. Moloshok', with a long horizontal flourish extending to the right.

MATTHEW E. MOLOSHOK

MEM:smb

cc: (By Email and First Class Mail)
Karen Maples, Regional Hearing Clerk
Gary H. Nurkin, Esq., Assistant Regional Counsel