UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION I

IN THE MATTER OF:

Ahmad Alijabbari 5 St. Tekakwitha Drive Lewiston, ME 04240

Respondent.

Order Granting Fifth Extension of Time to File Answer to Complaint

EPA Docket No. TSCA-01-2018-0061

Respondent Ahmad Alijabbari has submitted a fifth Motion for Extension of Time to File an Answer to the Complaint. This motion asks that the deadline be extended an additional month, i.e., until May 1, 2019. Complainant concurs with this extension. In support of this motion, Respondent states that the parties have reached a settlement in principle which will include the performance of a Supplemental Environment Project (SEP).

In my previous order, I stated that absent extraordinary circumstances, I would not give Complainant any additional extensions of time to file an Answer to the Complaint. In support of this motion, Respondent states that because there are limited qualified contractors that can perform the work specified in the SEP, additional time is necessary to obtain details required by, and approval of, the SEP scope of work. I also note that Respondent, who was previously proceeding pro se, has retained legal counsel.

Under the rules governing this proceeding, "the Presiding Officer may grant an extension of time for filing any document: upon timely motion of a party to the proceeding, for good cause shown; and after consideration of prejudice to other parties; or upon its own initiative." 40 C.F.R. § 22.7(b). Respondent has shown sufficient cause for extending the deadline one last time. A one-month extension should give the parties ample time to finalize the settlement. No additional extensions of time will be granted.

In accordance with 40 C.F.R. §§ 22.7(b) and 22.16(c), for good cause shown, the Respondent is granted a fifth and final extension of time to file an Answer to the Complaint. Accordingly, the deadline for Respondent to file an Answer to the Complaint is extended until the close of business on Wednesday, May 1, 2019.

So Ordered:

Dated: April 4, 2019

LeAnn Jensen

Regional Judicial Officer

In the Matter of Ahmad Alijabbari Docket No. TSCA-01-2018-0061

CERTIFICATE OF SERVICE

I certify that on this 4th day of April, 2019 the original foregoing Order was filed with Regional Hearing Clerk, a copy was hand-delivered to Counsel for Complainant, and a copy was mailed by certified mail, return receipt requested, to Counsel for Respondent.

April 4, 2019 Date

Wanda I. Santiago Wanda I. Santiago

Paralegal/Regional Hearing Clerk U.S. EPA Region I 5 Post Office Square, Suite 100 Mail code (ORC 4-6) Boston, MA 02109-3912

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