



Robert H. Fitzgerald  
617.570.1343  
rfitzgerald@goodwinprocter.com

Goodwin Procter LLP  
100 Northern Avenue  
Boston, MA 02210

goodwinlaw.com  
+1 617 570 1000

November 19, 2018

**VIA E-MAIL (R1 HEARING CLERK FILINGS@EPA.GOV)**

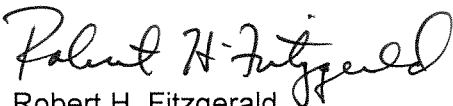
Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency - Region 1  
5 Post Office Square - Suite 100 (ORC04-6)  
Boston, MA 02109-3912

**Re: In the Matter of Polycarbon Industries, Inc. - EPA Docket No. RCRA-01-2018-0068**

Dear Ms. Santiago:

Enclosed for docketing and filing in the above-referenced matter is Respondent Polycarbon Industries, Inc.'s assented-to motion for an extension of time to file an Answer.

Sincerely,

  
Robert H. Fitzgerald

RHF  
Enclosure

cc: Andrea Simpson, Esq., Enforcement Counsel, U.S. Environmental Protection Agency  
Paul Sulloway, Chief Financial and Operating Officer, Polycarbon Industries, Inc.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

_____ )	
In the Matter of: )	EPA Docket No. RCRA-01-2018-0068
Polycarbon Industries, Inc. )	
9 Opportunity Way )	<b>ASSENTED-TO MOTION</b>
Newburyport, Massachusetts 01950 )	<b>TO EXTEND TIME TO FILE ANSWER</b>
Respondent )	
Proceeding under Section 3008(a) of the )	
Resource Conservation and Recovery Act )	
142 U.S.C. § 6928(a) )	
_____ )	

**ASSENTED-TO MOTION TO EXTEND TIME TO FILE ANSWER**

Polycarbon Industries, Inc. ("Respondent") hereby moves pursuant to 40 C.F.R. § § 22.7(b) and 22.16(a) for an extension of time to file an answer and a written request for a hearing in this matter, presently due on or before December 3, 2018. As grounds for this motion, Respondent states that it had an initial conference with EPA counsel and staff on November 16, 2018 to discuss this matter, at which it was agreed additional information would be provided to EPA counsel and staff for its review and evaluation. Respondent and EPA require additional time to collect, submit and review this information in furtherance of their efforts to resolve this matter without the need for further litigation.

Wherefore, Respondent respectfully requests a 60-day extension, i.e., to February 1, 2019, to file an answer and written request for a hearing in this matter. EPA counsel, Andrea Simpson, Esq., has assented to the filing and granting of this motion.

Respectfully submitted,

Assented to by:

Robert H. Fitzgerald  
Robert H. Fitzgerald  
Counsel for Polycarbon Industries, Inc.

Andrea Simpson <sup>(RHF)</sup>  
Andrea Simpson  
U.S. Environmental Protection Agency

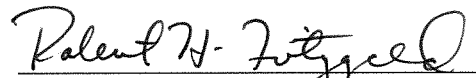
Date: November 19, 2018

**CERTIFICATE OF SERVICE**

I, Robert H. Fitzgerald, hereby certify that on November 19, 2018, I served a copy of the foregoing by electronic mail to the following:

Andrea Simpson, Esq.  
Senior Enforcement Counsel  
Office of Environmental Stewardship  
U.S. Environmental Protection Agency – Region 1  
5 Post Office Square – Suite 100 (OES04-2)  
Boston, MA 02109-3912  
[simpson.andrea@epa.gov](mailto:simpson.andrea@epa.gov)

Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 1  
5 Post Office Square – Suite 100 (ORC04-6)  
Boston, MA 02109-3912  
[R1\\_Hearing\\_Clerk\\_Filings@epa.gov](mailto:R1_Hearing_Clerk_Filings@epa.gov)

  
Robert H. Fitzgerald, Esq.  
Goodwin Procter LLP  
100 Northern Avenue  
Boston, MA 02210  
[rfitzgerald@goodwinlaw.com](mailto:rfitzgerald@goodwinlaw.com)