

FILED

2011 DEC 27 AM 9:2

REGIONAL HEARING CLEP

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

IN THE MATTER OF:)	
)	
Kilauea Crushers, Inc.,)	U.S. EPA Docket No.
Respondent)	CAA-9-2011-0004
_____)	

ORDER GRANTING MOTION FOR EXTENSION

OF TIME TO FILE ANSWER

By motion filed December 22, 2011, The United States Environmental Protection Agency (Complainant) seeks an extension of time, up to and including February 28, 2012 for Respondent to file an answer to the Complaint.

Consolidated Rules of Practice, 40 C.F.R. § 22.07(b), provides that a motion for extension of time may be granted “for good cause shown, and after consideration of prejudice to other parties.”

On the basis of the motion, it appears that good cause exists for the extension of time, and there will be no prejudice to either party from granting the requested extension. Therefore, Complainant’s motion is granted.

IT IS THEREFORE ORDERED THAT:

The time for Respondent to answer the Complaint and request a hearing is extended to and including February 28, 2012.

Dated: December 23, 2011



Steven L. Jawgiel
Regional Judicial Officer

CERTIFICATE OF SERVICE

I certify that the original of the fully executed Order Granting Second Motion for Extension of Time to File Answer (Docket #: CAA-09-2011-0004) was filed with the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was sent to the following parties:

A copy was mailed via CERTIFIED MAIL to:

C. William Nichols
Kilauea Crushers, Inc.
21940 N. 75th Avenue
Peoria, AZ 85383

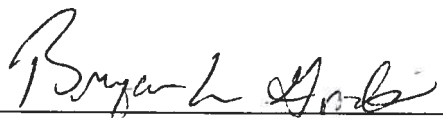
CERTIFIED MAIL NUMBER: 7010-1060-0002-0242-7839

And additional copy was mailed via FIRST-CLASS MAIL to:

Patrick J. Paul, Esq.
Snell & Wilmer, LLP
One Arizona Center
400 East Van Buren Street, Ste. 1900
Phoenix, AZ 85004-2202

And additional copy was hand-delivered to the following U.S. EPA case attorney:

David Kim, Esq.
Office of Regional Counsel
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105



Bryan K. Goodwin
Regional Hearing Clerk
U.S. EPA, Region IX

Date 12/27/11