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AN ENVIRONMENTAL AND ENERGY LAW PRACTICE



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OTHER ATTORNEYS ADMITTED IN PA ONLY

RECEIVED  
OCT 19 2010  
EPA ORC WS  
Office of Regional Hearing Clerk

October 18, 2010

VIA OVERNIGHT MAIL  
Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 1  
ORA-18-1  
Five Post Office Square, Suite 100  
Boston, MA 02109

Re: Tanner Industries, Inc.  
Motion For Extension Of Time To File Answer  
Docket No. CAA-01-2010-0061

Dear Ms. Santiago:

Enclosed please find an original and one copy of Tanner Industries, Inc.'s Motion for Extension of Time to File Answer along with a Certificate of Service. Please contact me at (484) 430-2304, should you have any questions regarding this filing.

Very truly yours,

Carol F. McCabe  
For MANKO, GOLD, KATCHER & FOX, LLP

CFM/vc/10571.005  
Enclosure  
cc: Gregory Dain, Senior Enforcement Counsel

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1

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In the Matter of: )  
)  
TANNER INDUSTRIES, INC. )  
)  
)  
)  
Respondent. )  
\_\_\_\_\_ )

Docket No. CAA-01-2010-0061

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Office of Regional Hearing Clerk

01-21-01

**MOTION FOR EXTENSION OF TIME TO FILE ANSWER**

Pursuant to 40 C.F.R. §22.16, Respondent, Tanner Industries, Inc. (“Tanner”), requests that the Presiding Officer grant a thirty (30) day extension of time for Respondent to file an Answer in this proceeding.

On October 15, 2010, Gregory Dain, EPA Region 1 legal counsel in this proceeding, stated during a meeting of the parties that EPA would not oppose this motion.

Respondent received the Complaint on September 22, 2010. Therefore, in accordance with 40 C.F.R. § 22.15, Respondent’s Answer to the Complaint must be filed within thirty (30) days of September 22 2010, or by October 22, 2010.

The parties made progress towards a possible settlement during a meeting that occurred on Friday, October 15, 2010. The parties have also decided to continue their settlement discussions. Accordingly, Respondent believes that the parties’ resources would best be spent at this time on settlement negotiations rather than on preparation of an Answer to the Complaint. Respondent therefore respectfully requests that the Presiding Officer grant this motion for a thirty (30) day extension of time, from October 22, 2010 up through and including November 22, 2010

for Respondent to file its Answer.

Respectfully submitted,

Dated: 10-18-10



Carol F. McCabe  
Manko, Gold, Katcher & Fox, LLP  
401 City Avenue  
Suite 500  
Bala Cynwyd, PA 19004  
(484) 430-2304

Attorney for Respondent Tanner Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Extension of Time to File an Answer was delivered in the following manner to the addressees listed below:

**Original and One Copy by  
Overnight Mail:**

Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 1  
ORA-18-1  
Five Post Office Square, Suite 100  
Boston, MA 02109

**One copy by Overnight Mail  
and Facsimile**

Gregory Dain, Senior Enforcement Counsel  
U.S. Environmental Protection Agency, Region 1  
Mail Code OES-04-2  
Five Post Office Square, Suite 100  
Boston, MA 02109

FAX #: 617-918-0884

Date Sent: 10-18-10

Signed: 

