

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.II
2009 JUL 28 PM 3:01
REGIONAL HEARING
CLERK

In the Matter of

U.S. DEPARTMENT OF
HOMELAND SECURITY

Respondent.

Proceeding Under Section 9006
of the Solid Waste Disposal Act,
as amended.

**MOTION FOR EXTENSION
OF TIME TO FILE AN ANSWER
AND PROPOSED ORDER**

Docket No. RCRA-02-2009-7505

Respondent requests an extension of time to file an Answer to the above-captioned Complaint through and including October 6, 2009. Presently the answer is due on August 6, 2009. Complainant has authorized Respondent to state that Complainant agrees to this extension of time.

Respondent and EPA would like an opportunity to discuss a settlement of this matter, and additional time will be required.

Respectfully submitted,



Connie R. Kane
Attorney for Respondent
U.S. Customs and Border Protection,
Department of Homeland Security
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Intech II Building
Indianapolis, IN 46278-1988
(317) 614-4903
(317) 298-1498 - fax

Dated: July 27, 2009

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of

U.S. DEPARTMENT OF
HOMELAND SECURITY

Respondent.

Proceeding Under Section 9006
of the Solid Waste Disposal Act,
as amended.

**ORDER FOR EXTENSION
OF TIME TO FILE AN ANSWER**

Docket No. RCRA-02-2009-7505

ORDER

This matter has come before this Presiding Officer on Respondent's request for an extension of time to file an Answer.

IT IS HEREBY ORDERED that the time in which Respondent may file its Answer to the Complaint in this action is hereby extended through and including October 6, 2009.

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

Dated: _____, 2009

CERTIFICATE OF SERVICE

This is to certify that I have this day caused to be delivered a copy of the foregoing Motion for Extension of Time to File an Answer and Proposed Order by Federal Express to:

Beverly Kolenberg
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, NY 10007-1866

By Federal Express delivery, I sent an original and a copy of said Motion and Proposed Order to:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Dated: _____
Indianapolis, IN

July 29, 2009 Sue A. Yeager