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REGIONAL HEARING CLERK
2011 APR 13 P 1:12
U.S. ENVIRONMENTAL PROTECTION AGENCY-REG.II

April 11, 2011

By Email and First Class Mail

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

Re: Matter of Fiabila USA Incorporated
Dkt. No. RCRA-02-2010-7108

CONSENT REQUEST FOR FURTHER EXTENSION OF TIME TO ANSWER

TO THE HONORABLE REGIONAL JUDICIAL OFFICER:

We represent the Respondent, Fiabila USA Incorporated. We submit this letter, with the consent of the U.S. Environmental Protection Agency, by its Assistant Regional Counsel, Gary H. Nurkin, Esq., as an informal application to respectfully request that Your Honor grant a third enlargement of time for Respondent to answer the Complaint filed by the EPA in this matter to and including **Friday, July 15, 2011.**

Several extensions of the time to answer have been granted, while Respondent and the EPA have held substantive discussions toward a consent resolution. The purpose of the further extension is to avoid the costs and burdens of answering the Complaint, so all efforts may continue to be dedicated to those discussions, which continue to progress. Absent a further extension, the most recent extension will expire on April 18, 2011.

Hon. Helen Ferrara, R.J.O.

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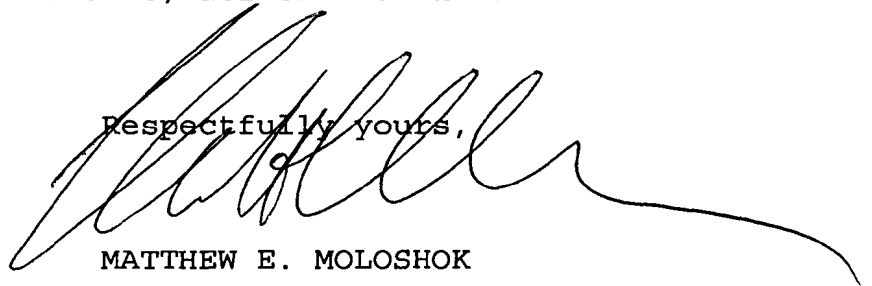
April 11, 2011

I spoke yesterday with Mr. Nurkin, who represents the EPA as Complaint Counsel in this matter, and he has graciously consented to this application.

If this application for a further enlargement of Respondent's time to answer meets with Your Honor's approval, kindly "So Order" this letter and have the Regional Hearing Clerk return a copy marked to reflect entry to us in the postage-paid, self-addressed envelope enclosed.

If Your Honor requires a more formal application, then we will, of course, follow Your Honor's directions in that regard.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'M. Moloshok', with a long horizontal flourish extending to the right.

MATTHEW E. MOLOSHOK

MEM: sb

cc: (by email and First Class Mail)
Karen Maples, Regional Hearing Clerk
Gary H. Nurkin, Esq., Assistant Regional Counsel