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AN ENVIRONMENTAL AND ENERGY LAW PRACTICE

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Admitted in PA and NJ

November 4, 2015

Via Overnight Mail

Helen Ferrara
Regional Judicial Officer
U.S. Environmental Protection Agency
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*Partner responsible – Bruce S. Katcher

Re: Docket No. CWA-02-2015-3401; Motion For Extension of Time to File Answer

Dear Ms. Ferrara:

Enclosed please find a Motion requesting a ninety (90) day extension of time to file an Answer in the matter of The Skydyne Company, Docket No. CWA-02-2015-3401. Please contact me if you have any questions.

Respectfully submitted,



Bryan P. Franey
For MANKO, GOLD, KATCHER & FOX, LLP

U.S. Environmental
Protection Agency-Reg 2
2015 NOV -5 AM 10:53
REGIONAL HEARING
CLERK

BFP/nav/12368-001

Enclosure

cc: Karen Maples, Regional Hearing Clerk (Via Overnight Mail)
Phyllis Feinmark, Office of Regional Counsel (Via Email and First Class Mail) ✓

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

U.S. Environmental
Protection Agency-Reg 2

2015 NOV -5 AM 10: 53

REGIONAL HEARING
CLERK

IN THE MATTER OF: :
: :
The Skydyne Company : :
: : Docket No. CWA-02-2015-3401
: :
Respondent : :
: :

MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Pursuant to 40 C.F.R. § 22.16, Respondent, The Skydyne Company (“Skydyne”), requests that the Regional Judicial Officer grant a ninety (90) day extension of time for Respondent to file an Answer in this proceeding.

Respondent received the Complaint on February 9, 2015. The Regional Judicial Officer granted prior motions filed by Respondent to extend the time by which the Skydyne may file an Answer to the Complaint. The current date by which Skydyne may file an Answer to the Complaint is November 9, 2015 pursuant to the Order Granting an Extension of Time to File An Answer to the Complaint issued by the Regional Judicial Officer on July 6, 2015.

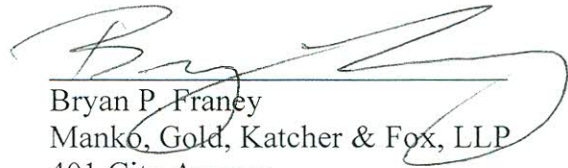
Since the last extension, the parties have continued to confer by telephone and exchange information related to the Complaint. In addition, the parties have reached a preliminary settlement agreement and have started work on an agreement to memorialize the settlement. Accordingly, Respondent believes that, at this time, the parties’ resources would best be spent on continued settlement negotiations rather than on preparation of an Answer to the Complaint.

Phyllis Feinmark, EPA Region 2 legal counsel in this proceeding, confirmed that EPA supports this motion.

Respondent therefore respectfully requests that the Regional Judicial Officer grant this motion for an additional ninety (90) day extension of time, from November 9, 2015 to February 8, 2016 for Respondent Skydyne to file its Answer.

Respectfully submitted,

Dated: November 4, 2015



Bryan P. Franey
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(484) 430-2308

Attorney for Respondent
The Skydyne Company

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:**

Karen Maples, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor (Room 1631)
New York, NY 10007-1866


One copy by Overnight Mail:

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

**One copy by First Class Mail
and E-mail:**

Phyllis Feinmark, Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Date Sent: November 4, 2015

Signed: 

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: _____ :
 :
The Skydyne Company :
 : Docket No. CWA-02-2015-3401
 :
Respondent :
_____ :

**ORDER GRANTING AN EXTENSION OF TIME TO FILE AN
ANSWER TO THE COMPLAINT**

By *Motion for Extension of Time to File Answer* dated November 6, 2015, Respondent requested, for good cause shown and with the concurrence of Complaint, a third extension of time in which Respondent may file an answer to EPA's Complaint. Based on the information provided by Respondent, an extension through February 8, 2016 is hereby granted.

Effective Date

The effective of this Order shall be the date it is signed by the Regional Judicial Officer, below.

Date: _____

Helen S. Ferrara
Regional Judicial Officer
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866