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REGIONAL HEARING GLERK

In the Matter of:) Docket No. RCRA-9-2008-0014
Jet Ocean Technology Inc.,) MOTION FOR EXTENSION OF TIME TO FILE ANSWER
Respondent.)))

TO THE REGIONAL JUDICIAL OFFICER:

Pursuant to the authority set forth in the Consolidated Rules of Practice, 40 C.F.R. Part 22,

Respondent <u>Jet Ocean Technology Inc.</u>, moves the Regional Judicial Officer to grant a 45-day extension of time to respond to the complaint in the above-entitled action (the AComplaint@) to

October 15, 2008. Respondent's reasons for seeking an extension for time are set forth below.

BACKGROUND

On July 30, 2008. Complainant U.S. EPA Region IX filed a civil administrative action against Respondent <u>Jet Ocean Technology Inc.</u>, in the above-entitled action. The Complaint alleges that Respondent, by <u>Unauthorized Exportation of Hazardous Waste</u> violated RCRA. Respondent was served with the Complaint on or about July 31, 2008 and Respondent's response to the Complaint is due by August 31, 2008.

ARGUMENT

The Regional Judicial Officer may grant an extension of time to file an answer upon filing of a timely motion, a showing of good cause and after consideration of prejudice to other parties to the action.

40 C.F.R. ' ' 22.7(b) and 22.16. This motion satisfies these criteria.

This motion is timely, having been filed proximate to the due date for Respondent's answer to the Complaint.

CERTIFICATE OF SERVICE

I certify that the original and one copy of the foregoing Motion for Extension of Time to File

Answer (Docket No. RCRA-9-2008-0014) was mailed to:

Regional Hearing Clerk U.S. Environmental Protection Agency, Region IX 75 Hawthorne Street San Francisco, California 94105.

Dated: August 19, 2008

By: King Y. Tai

This motion also complies with the Agood cause@ requirement of 40 C.F.R. ' 22.7(b). It is Complainant's policy to encourage settlement and avoid litigation when consistent with the provisions and objectives of the law at issue. 40 C.F.R. ' 22.18(b). Representatives of Complainant and Respondent have settled the above-captioned matter in principle, and a 60-day extension of time to answer will facilitate the process by which the settlement is finalized and made official.

Finally, granting of this motion will not result in prejudice. As noted above, the parties have already engaged in settlement discussions and the requested extension will provide Complainant and Respondent sufficient time to finalize settlement and fully resolve the matter. Complainant does not object to this Motion.

CONCLUSION

For the reasons set forth above, Respondent respectfully requests that the Regional Judicial Officer grant Respondent's motion for a 45-day extension of time to file an answer to and including October 15, 2008.

Dated at Chino, California, on this August 19, 2008.

King Y. Tai

Chief Executive Officer