

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

IN THE MATTER OF:)	
)	
)	Order Granting Fifth and Final
)	Extension of Time to File
Howard Gross)	Answer to Complaint
466 Central Avenue, Suite 9)	
Dover, New Hampshire,)	
)	EPA Docket No.
)	TSCA-01-2019-0050
Respondent.)	
)	
)	

ORDER

In accordance with 40 C.F.R. §§ 22.7(b) and 22.16(c), for good cause shown, Respondent is granted a fifth and final 60-day extension of time to file an answer to the complaint.

Respondent represents that Complainant has assented to this request.

Pursuant to the Consolidated Rules of Practice at 40 C.F.R. Part 22, the original deadline for the submission of an answer was on or about November 2, 2019. 40 C.F.R. § 22.15(a). With my previous extensions, this deadline been delayed for almost seven months. As stated in my previous order granting a fourth extension, absent extraordinary circumstances, I would not grant any additional extensions of time for the submission of an answer. Since granting the fourth extension, however, governmental, judicial, academic, private non-profit and commercial activities have continued to be been extremely curtailed as the result of the pandemic caused by the COVID-19 virus. Respondent states that because his ability to earn income has been “almost entirely cut-off” by the response to this pandemic, he requires additional time to determine his financial ability to pay the penalty that will be imposed by the settlement of this matter.

Accordingly, with this final 60-day extension, the deadline for Respondent to file an answer to the complaint is extended until the close of business on Friday, July 31, 2020.

SO ORDERED:

LeAnn Jensen
Regional Judicial Officer
U.S. EPA Region 1