

MANKO | GOLD | KATCHER | FOX LLP

AN ENVIRONMENTAL AND ENERGY LAW PRACTICE

Carol F. McCabe

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Admitted in NJ and PA

January 12, 2011

Via Overnight Mail

Wanda Santiago

Regional Hearing Clerk

U.S. Environmental Protection Agency

Region 1

ORA-18-1

Five Post Office Square, Suite 100

Boston, MA 02109

Re: Tanner Industries, Inc.
Motion For Extension Of Time To File Answer
Docket No. CAA-01-2010-0061

Dear Ms. Santiago:

Enclosed please find an original and one copy of Tanner Industries, Inc.'s Motion for Extension of Time to File Answer along with a Certificate of Service. Please contact me at (484) 430-2304, should you have any questions regarding this filing.

Very truly yours,



Carol F. McCabe

For MANKO, GOLD, KATCHER & FOX, LLP

CFM/vc/10571.005

Enclosure

cc: Gregory Dain, Senior Enforcement Counsel

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

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In the Matter of:)	
TANNER INDUSTRIES, INC.)	
)	
)	Docket No. CAA-01-2010-0061
Respondent.)	
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MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Pursuant to 40 C.F.R. §22.16, Respondent, Tanner Industries, Inc. (“Tanner”), requests that the Presiding Officer grant a thirty (30) day extension of time for Respondent to file an Answer in this proceeding.

Respondent received the Complaint on September 22, 2010. An extension of time to file an answer was granted until January 21, 2011 by Order dated December 20, 2010.

The parties have made progress towards a possible settlement during a meeting that occurred on Friday, October 15, 2010 and in subsequent telephone conversations. The parties have decided to continue their settlement discussions and Tanner has provided additional information to EPA for evaluation in the context of a proposed settlement of the matter. On January 6, 2011, Gregory Dain, EPA Region 1 legal counsel in this proceeding, stated via electronic mail that EPA would not oppose this motion.

Accordingly, Respondent believes that the parties’ resources would best be spent at this time on settlement negotiations rather than on preparation of an Answer to the Complaint. Respondent therefore respectfully requests that the Presiding Officer grant this motion for a thirty

(30) day extension of time, from January 21, 2011 up through and including February 21, 2011
for Respondent to file its Answer.

Respectfully submitted,

Dated: 1-12-11



Carol F. McCabe
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Suite 500
Bala Cynwyd, PA 19004
(484) 430-2304

Attorney for Respondent Tanner Industries, Inc.

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:**

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
ORA-18-1
Five Post Office Square, Suite 100
Boston, MA 02109

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

Gregory Dain, Senior Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
Mail Code OES-04-2
Five Post Office Square, Suite 100
Boston, MA 02109

Date Sent: 1-12-11

Signed: *Civil McAuliffe*

