

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II

2011 FEB -8 A 12: 10

REGIONAL HEARING
CLERK

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In the Matter of :
 :
Sanson Agricultural Corporation, :
 :
Respondent. :
 :
Proceeding Under the Federal :
Insecticide, Fungicide and :
Rodenticide Act (FIFRA), as amended. :
-----X

Docket No. FIFRA-02-2010-5304

JOINT MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER

Pursuant to Sections 22.7 and 22.16 of Title 40 of the Code of Federal Regulations, Complainant and Respondent jointly request a 6-month extension of time to file an Answer to the Complaint in the above-captioned matter through and including August 8, 2011.

The Complaint was served by overnight delivery on October 6, 2010, thus the original due date for the Answer was November 8, 2010. Complainant and Respondent jointly requested and were granted a 3-month extension of time to file an Answer through and including February 8, 2011.

Complainant and Respondent have agreed to discuss settlement of this matter as an alternative to an administrative hearing. Respondent previously submitted financial statements and recently submitted tax returns for Complainant's consideration of the impact of a penalty on Respondent's ability to continue in business. This ability to pay consideration is required under FIFRA Section 14(a)(4), 7 U.S.C. § 136l(a)(4). Due to budget constraints, Complainant has been unable to utilize an outside contractor for the financial analysis. Complainant is presently limited to performing the financial analysis in-house. Complainant encountered difficulty analyzing the

financial statements and thus requested and received the tax returns from Respondent.

Complainant is in the process of attempting to run ABEL, the computer model used to evaluate a corporation's ability to afford compliance costs or civil penalties. Therefore, an additional extension of time to Answer the Complaint is required.

Respectfully submitted,



Karen L. Taylor, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th floor
New York, NY 10007-1866
(212) 637-3637

Dated: February 8, 2011

In the Matter of Sanson Agricultural Corporation
Docket No. FIFRA-02-2010-5304

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing JOINT MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER, bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and One Copy

by Hand:

Office of Regional Hearing Clerk
U.S. Environmental Protection
Agency - Region 2
290 Broadway, 16th floor
New York, NY 10007-1866

Copy

by Hand:

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

Copy by

Email:

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Dated: 2-8-11
New York, NY

KL Sa/