



BOND, SCHOENECK & KING, PLLC
ATTORNEYS AT LAW ■ NEW YORK FLORIDA KANSAS

VIRGINIA C. ROBBINS
Direct: 315-218-8182
vrobbins@bsk.com

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2008 JUL 15 PM 2:03
REGIONAL HEARING
CLERK

July 10, 2008

BY OVERNIGHT DELIVERY

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

Re: *Evans Chemetics, LP, Waterloo, NY*
Docket No. CAA-02-2007-1223

Dear Ms. Ferrara:

Enclosed please find an original and one copy of (a) a Motion for Extension of Time to File an Answer and Proposed Order, and (b) a proposed Order relating to the above referenced matter for your consideration.

Copies of this Motion and proposed Order have also been served upon the related parties in accordance with the enclosed Certificate of Service.

Thank you for your time and consideration.

Sincerely,

BOND, SCHOENECK & KING, PLLC


Virginia C. Robbins

VCR/sm
Enclosures

cc (w/enclosures):

Ms. Karen Maples, Regional Hearing Clerk of the U.S. Environmental Protection Agency ✓
Douglas Fischer, Esq., Assistant Regional Counsel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2008 JUL 15 PM 2:02
REGIONAL HEARING
CLERK

-----)
In the Matter of)
)
EVANS CHEMETICS, LP)
228 East Main Street)
Waterloo, New York 13165,)
)
Respondent.)
)
Proceeding under Section 113)
of the Clean Air Act,)
42 U.S.C. § 7413)
-----)

**MOTION FOR EXTENSION
OF TIME TO FILE AN ANSWER
AND PROPOSED ORDER**

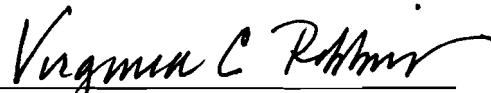
Docket No. CAA-02-2007-1223

Respondent respectfully requests an extension of time to file an Answer to the above-captioned Complaint based on the following circumstances:

1. On May 28, 2008, Respondent filed a Motion for Extension of Time to File an Answer and Proposed Order, requesting additional time to permit the parties to finalize settlement terms, including the performance of a Supplemental Environmental Project (SEP).
2. By Order dated June 3, 2008, Respondent was granted an extension through and including July 15, 2008.
3. On July 10, 2008, Complainant provided to Respondent a final copy of the Consent Agreement and Final Order (CA/FO) for execution. Respondent and Complainant's staff have reached agreement on the final form of the CA/FO, but they need additional time for execution of the CA/FO by the parties.
4. Prior to filing this motion, counsel for Complainant indicated his consent to the proposed extension of time to file an Answer.

WHEREFORE, Respondent, Evans Chemetics, LP, respectfully requests that this Motion for Extension of Time to File an Answer and Proposed Order be granted, thereby extending Respondent's time to file an Answer through and including August 15, 2008.

Respectfully submitted,



Virginia C. Robbins, Esq.
Counsel for Respondent
Bond, Schoeneck & King, PLLC
One Lincoln Center
Syracuse, NY 13202
Telephone: 315-218-8182
Fax: 315-218-8100

DATED: July 10, 2008

**UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

-----X	
In the Matter of	:
	:
EVANS CHEMETICS, LP	:
228 East Main Street	:
Waterloo, New York 13165,	:
	:
Respondent.	:
	:
Proceeding under Section 113	:
of the Clean Air Act,	:
42 U.S.C. § 7413	:
-----X	

**ORDER FOR EXTENSION OF TIME
TO FILE AN ANSWER**

Docket No. CAA-02-2007-1223

ORDER

This matter has come before this Presiding Officer on Respondent's request for an extension of time to file an Answer.

IT IS HEREBY ORDERED that the time in which Respondent may file its Answer to the Complaint in this action be and is hereby extended through and including August 15, 2008.

Dated: _____, 2008

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

CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2008, I caused to be sent by overnight delivery service for delivery on July 11, 2008, an original and one copy of the foregoing Motion for Extension of Time to File and Answer and proposed Order in the matter of Evans Chemetics, LP, bearing Docket Number CAA-02-2007-1223, to:

The Hon. Helen S. Ferrara
Regional Judicial Officer
United States Environmental Protection Agency
Region 2
290 Broadway
16th Floor
New York, New York 10007-1866

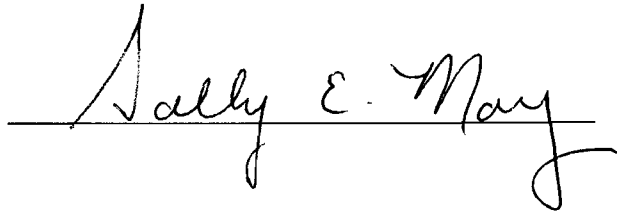
I also certify that on July 10, 2008, I also caused to be sent by first class mail a copy of the foregoing Motion for Extension of Time to File and Answer and proposed Order in the matter of Evans Chemetics, LP, bearing Docket Number CAA-02-2007-1223, to:

Regional Hearing Clerk of the United States Environmental Protection Agency
Region 2
290 Broadway
16th Floor
New York, New York 10007-1866

and

Douglas Fischer, Esq.
Assistant Regional Counsel of the United States Environmental Protection Agency
Region 2
290 Broadway
17th Floor
New York, New York 10007-1866

DATED: July 10, 2008

A handwritten signature in cursive script, reading "Sally E. May", is written over a horizontal line.