

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
BEFORE THE ADMINISTRATOR

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In the Matter of:)	Docket Nos.	EPCRA-01-2008-0110
)		CAA-01-2008-0111
SIMONIZ USA, INC.)		
201 Boston Turnpike)		
Bolton, CT 06043)		
)		
)		
)		
Respondent.)		
)		

ASSENTED TO MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Pursuant to 40 C.F.R. § 22.16, Respondent, Simoniz USA, Inc., 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 in this matter by certified mail on or about October 2, 2008. The Presiding Officer granted four previous requests for extensions of the time to answer; the current extension expires at the close of business on March 2, 2009. This request is the Respondent's fifth request for an extension.

An extension is warranted to afford Respondent and EPA the opportunity to continue exploring a settlement of this matter. Respondent proposed a settlement including several supplemental environmental projects on December 4, 2008, and has since been in regular contact with EPA about these projects. These proposals are extensive and complex, but Respondent now believes that it has provided EPA with all the information EPA needs to draft a consent agreement and final order that incorporates these projects.

Respondent respectfully requests that this thirty (30) day extension of time be granted for the filing of an Answer in this matter, extending the time to file an Answer to the close of business on April 1, 2009.

On February 18, 2009, Wesley Kelman, EPA enforcement counsel for this matter, informed Respondent that EPA assents to this motion.

For Respondent:



Mark E. Kershaw
Chief Financial Officer
Simoniz USA, Inc.
201 Boston Turnpike
Bolton, CT 06043
(860) 646-0172

Dated: February 18, 2009