

THE OKONITE COMPANY
102 HILLTOP ROAD
RAMSEY, NEW JERSEY 07446

FRANCIS T. GIULIANO
VICE PRESIDENT
AND
GENERAL COUNSEL

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July 19, 2010

By FedEx and By Regular Mail

The Honorable Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2010 JUL 20 PM 12:28
REGIONAL HEARING
CLERK

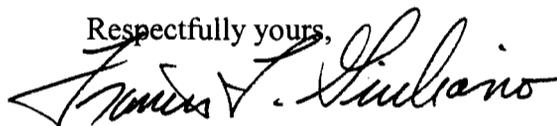
Re: *U.S. Environmental Protection Agency v. The Okonite Company, Inc.*
Docket No. TSCA-02-2010-9104

Dear Judge Gunning:

On behalf of respondent The Okonite Company, Inc., we enclose an original and two copies of Respondent's Motion for an Extension of Time for Submission of Respondent's Prehearing Exchange. We would appreciate your having a member of your staff return the extra copy to us stamped "filed" in the envelope provided.

We appreciate your courtesies.

Respectfully yours,



Enclosures
G101883/F126A

cc: Karen Maples, Regional Hearing Clerk (by FedEx and by reg. mail)
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor, New York, NY 10007-1866

Karen L. Taylor, Esq., Office of Regional Counsel (by FedEx and by reg. mail)
U.S. Environmental Protection Agency, Region 2
290 Broadway, New York, NY 10007-1866

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REGION
2
2010 JUL 20 PM 12: 28
REGIONAL HEARING
OFFICE

-----X
: In the Matter of :
: :
: Docket No. TSCA-02-2010-9104 :
: The Okonite Company, Inc., :
: :
: Respondent. :
: Hon. Barbara A. Gunning :
: Presiding Officer :
: :
: Proceeding under Section 16(a) of :
: the Toxic Substances Control Act. :
: :
-----X

RESPONDENT'S MOTION FOR AN EXTENSION OF TIME FOR SUBMISSION
OF RESPONDENT'S PREHEARING EXCHANGE

Respondent, The Okonite Company, Inc., hereby requests an extension of time of 7 days from August 2, 2010, that is until August 9, 2010, pursuant to 40 CFR §22.7 on the grounds as follows:

1. Respondent's Prehearing Exchange is due August 2, 2010.
2. The undersigned is counsel to Okonite and representing it in the defense of the Complainant.
3. Originally, I planned to take a vacation in August. Circumstances have compelled me to reschedule that vacation to next week, namely, July 24 to July 31, 2010. I will therefore lose a week before the due date for submission of Okonite's Prehearing Exchange.
4. I will not be able to complete preparation of Okonite's submission by the end of this week. I therefore respectfully request a one-week extension of the due date so that Okonite can submit its Prehearing Exchange on a timely basis.
5. I have spoken with adversary counsel, Karen Taylor, Esq., and she has consented to this request.
6. Respondent submits that the requested extension will not result in any prejudice to the Complainant.

WHEREFORE, an extension of time is requested until August 9, 2010 within which to file Respondent's Prehearing Exchange.

Respectfully submitted,

A handwritten signature in black ink, reading "Francis T. Giuliano", written over a horizontal line.

Francis T. Giuliano
Attorney for Respondent The Okonite Company, Inc.
102 Hilltop Road, PO Box 340, Ramsey NJ 07446
Tel: (201) 825-0300 Fax: (201) 236-0129

Dated: July 19, 2010.

CERTIFICATE OF SERVICE

I, Francis T. Giuliano, do hereby certify that on July 19, 2010, I did submit, by FedEx Priority Overnight and by regular mail, a copy of Respondent's Motion for Extension of Time for Submission of Respondent's Prehearing Exchange to:

The Honorable Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

Karen L. Taylor, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, New York NY 10007-1866


Francis T. Giuliano

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 2

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: In the Matter of: :
: : Docket No. TSCA-02-2010-9104
: The Okonite Company, Inc., :
: : Hon. Barbara A. Gunning
: Respondent. : Presiding Officer
: :
: Proceeding under Section 16(a) of :
: the Toxic Substances Control Act. :
-----X

ORDER GRANTING
RESPONDENT'S MOTION FOR AN EXTENSION OF TIME FOR SUBMISSION
OF RESPONDENT'S PREHEARING EXCHANGE

Upon consideration of the Respondent's Motion for Extension of Time for Submission of Respondent's Prehearing Exchange, it is this _____ day of _____, 2010 hereby

ORDERED that the Motion be and hereby is GRANTED, and that the time for submission of Respondent's Prehearing Exchange is extended to August 9, 2010.

For the Administrator

copies to:

Karen Maples, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

Karen L. Taylor, Esq.
Office of Regional Counsel
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