

MANKO | GOLD | KATCHER | FOX

AN ENVIRONMENTAL AND ENERGY LAW PRACTICE

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May 2, 2016

Via Overnight Mail

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

PHILADELPHIA, PA
*CHERRY HILL, NJ
WILLIAMSPORT, PA
by appointment only

*Partner responsible – Bruce S. Katcher

Re: Docket No. CWA-02-2015-3401

Dear Ms. Ferrara:

Enclosed please find a Motion requesting a thirty (30) day extension of time to file an Answer in the matter of The Skydyne Company, Docket No. CWA-02-2015-3401. The parties have agreed to a Consent Agreement and anticipate that the agreement will be fully executed within the next two or three weeks. Out of an abundance of caution, Respondent is requesting an additional thirty (30) day extension of time to allow the parties to fully execute the Consent Agreement.

Please contact me if you have any questions.

Respectfully submitted,



Bryan P. Franey
For MANKO, GOLD, KATCHER & FOX, LLP

U.S. Environmental
Protection Agency-ROG
2016 MAY -3 PM 12:04
REGIONAL HEARING
CLERK

BFP/nav/12368-001

Enclosure

cc: Karen Maples, Regional Hearing Clerk (Via Overnight Mail)
Kara Murphy, Office of Regional Counsel (Via Email and First Class Mail)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: :

The Skydyne Company :

Respondent :

Docket No. CWA-02-2015-3401

MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Pursuant to 40 C.F.R. § 22.16, Respondent, The Skydyne Company (“Skydyne”), requests that the Regional Judicial Officer grant a thirty (30) day extension of time for Respondent to file an Answer in this proceeding.

Respondent received the Complaint on February 9, 2015. The Regional Judicial Officer granted prior motions filed by Respondent to extend the time by which the Skydyne may file an Answer to the Complaint. The current date by which Skydyne may file an Answer to the Complaint is May 9, 2016 pursuant to the Order Granting an Extension of Time to File An Answer to the Complaint issued by the Regional Judicial Officer on February 2, 2016.

Since the last extension, the parties have agreed to a Consent Agreement, which is being circulated by the parties for signature. Because the Consent Agreement may not be fully executed by May 9, 2016, out of an abundance of caution, Respondent requests a thirty (30) day extension to the deadline for filing an Answer.

Kara Murphy, EPA Region 2 legal counsel in this proceeding, confirmed that EPA supports this motion.

Respondent therefore respectfully requests that the Regional Judicial Officer grant this

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motion for an additional thirty (30) day extension of time, from May 9, 2016 to June 8, 2016 for Respondent Skydyne to file its Answer.

Respectfully submitted,



Dated: May 2, 2016

Bryan P. Franey
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401 City Avenue
Suite 901
Bala Cynwyd, PA 19004
(484) 430-2308

Attorney for Respondent
The Skydyne Company

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:

Karen Maples, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor (Room 1631)
New York, NY 10007-1866

One copy by Overnight Mail:

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

One copy by First Class Mail and E-mail:

Kara Murphy, Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Date Sent: May 2, 2016



Signed: _____

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: _____ :
 :
The Skydyne Company :
 :
 :
Respondent :
_____ :

Docket No. CWA-02-2015-3401

**ORDER GRANTING AN EXTENSION OF TIME TO FILE AN
ANSWER TO THE COMPLAINT**

By *Motion for Extension of Time to File Answer* dated May 2, 2016, Respondent requested, for good cause shown and with the concurrence of EPA, a third extension of time in which Respondent may file an answer to EPA's Complaint. Based on the information provided by Respondent, an extension through June 8, 2016 is hereby granted.

Effective Date

The effective date of this Order shall be the date it is signed by the Regional Judicial Officer, below.

Date: _____

Helen S. Ferrara
Regional Judicial Officer
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866