

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

In the Matter of:

Limoge Properties, L.L.C.
833 Queen City Park Road #31
South Burlington, VT 05403

**MOTION FOR EXTENSION OF TIME
TO ANSWER ADMINISTRATIVE
COMPLAINT**

Limoge Properties 335 South Union L.L.C.
833 Queen City Park Road #31
South Burlington, VT 05403

Docket No. TSCA-01-2016-0042

Respondents

Proceeding under Section 16(a) of the
Toxic Substances Control Act,
15 U.S.C. § 2615(a)

**MOTION FOR EXTENSION OF TIME
IN WHICH TO ANSWER THE ADMINISTRATIVE COMPLAINT**

I. NEED FOR AN EXTENSION

On July 1, 2016, Limoge Properties, L.L.C. and Limoge Properties 335 South Union, L.L.C. ("Respondents") received the Administrative Complaint and Notice of Opportunity to Request a Hearing in the above-captioned matter ("Complaint"). Since receiving the Complaint, Respondents and EPA Senior Enforcement Counsel Kathleen Woodward and EPA Environmental Protection Specialist have had a number of telephone conferences regarding the case.

The parties have agreed in principal to the amount of the fine. The request for an extension is made to allow the parties to seek to explore the possibility of a Supplemental Environmental Program ("SEP") as part of a final consent agreement. Based upon the results of the parties' agreement upon the amount of the fine and good faith communications regarding possibility of an SEP, Respondents request a thirty (30) day extension of the deadline for filing an answer to the Complaint.

This extension is necessary in order to explore the possibility for settlement of this matter so that Respondents can avoid incurring potentially unnecessary litigation costs. It would impose an unnecessary burden on the Respondents to require preparation of an answer to the Complaint where the parties have agreed to the amount of the fine and settlement of this matter and full compliance with the relevant regulations can be achieved without having to do so. The requested thirty (30) day extension should provide sufficient time to negotiate and finalize a final consent agreement.

Attorney Woodward has indicated that she has no objection to this request for an extension of time to answer the Complaint because the Respondents have agreed to the amount of the fine.

II. AUTHORITY TO GRANT AN EXTENSION

The Presiding Officer may grant an extension of time for filing any document, including a written answer to an administrative complaint, upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties, under the Consolidated Rules of Practice, 40 C.F.R. § 22.7(b).

III. REQUEST FOR EXTENSION

There is no prejudice to any other party and there is good cause for an extension of time in which to file an answer to the Complaint. Therefore, Respondents respectfully request that the time for filing an answer to the Complaint be extended to October 14, 2016.

Facey Goss & McPhee, P.C.

By: 
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Attorneys for Respondents

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CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing MOTION FOR EXTENSION OF TIME IN WHICH TO ANSWER THE ADMINISTRATIVE COMPLAINT in the above-captioned matter were sent to the following persons in the manner indicated on September 13, 2016:

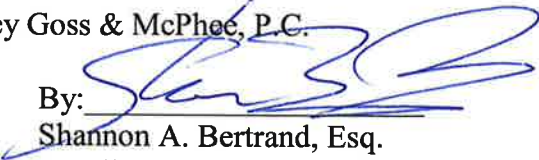
Via Email pursuant to Standing Order Authorizing Filing and Service By E-Mail In Proceedings Before the Region 1 Regional Judicial Officer (October 9, 2014):

Wanda Santiago, Regional Hearing Clerk
U.S. EPA Region 1
R1_Hearing_Clerk_Filings@epa.gov

Copy by email:

Kathleen E. Woodward, Senior Enforcement Counsel
Woodward.Kathleen@epa.gov

Facey Goss & McPhee, P.C.

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ORDER

In accordance with 40 C.F.R. §§ 22.7(b) and 22.16, for good cause shown, the time for Respondent to file an answer is extended to the close of business on October 14, 2016.

Dated: _____

Regional Judicial Officer
