



Robert H. Fitzgerald
617.570.1343
rfitzgerald@goodwinprocter.com

Goodwin Procter LLP
100 Northern Avenue
Boston, MA 02210

goodwinlaw.com
+1 617 570 1000

January 16, 2019

VIA E-MAIL (R1 HEARING CLERK FILINGS@EPA.GOV)

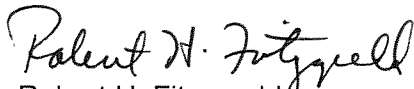
Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency - Region 1
5 Post Office Square - Suite 100 (ORC04-6)
Boston, MA 02109-3912

Re: In the Matter of Polycarbon Industries, Inc. - EPA Docket No. RCRA-01-2018-0068

Dear Ms. Santiago:

Enclosed for docketing and filing in the above-referenced matter is Respondent Polycarbon Industries, Inc.'s motion for an extension of time to file an Answer.

Sincerely,


Robert H. Fitzgerald

RHF
Enclosure

cc: Andrea Simpson, Esq., Enforcement Counsel, U.S. Environmental Protection Agency
Paul Sulloway, Chief Financial and Operating Officer, Polycarbon Industries, Inc.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

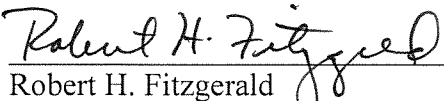
_____))
In the Matter of:)) EPA Docket No. RCRA-01-2018-0068
))
Polycarbon Industries, Inc.))
))
9 Opportunity Way)) **MOTION TO EXTEND TIME TO FILE**
Newburyport, Massachusetts 01950)) **ANSWER**
))
Respondent))
))
Proceeding under Section 3008(a) of the))
Resource Conservation and Recovery Act))
142 U.S.C. § 6928(a)))
_____)

MOTION TO EXTEND TIME TO FILE ANSWER

Polycarbon Industries, Inc. (“Respondent”) hereby moves pursuant to 40 C.F.R. §§ 22.7(b) and 22.16(a) for an extension of time to file an answer and written request for a hearing in this matter, presently due on or before February 1, 2019. As grounds for this motion, Respondent states that it had a conference call with EPA counsel and staff on December 20, 2018 to discuss this matter, at which it was agreed Respondent would provide additional information to EPA counsel and staff for its review and evaluation. Respondent submitted those materials on January 8, 2019; however, due to the partial federal government shutdown, EPA counsel and staff have not had the opportunity to review the submitted materials and engage in further discussions with Respondent. Respondent and EPA require additional time to review and discuss this information in furtherance of their efforts to resolve this matter without the need for further litigation.

Wherefore, Respondent respectfully requests an extension to March 1, 2019, to file an answer and written request for a hearing in this matter. Due to the partial federal government shutdown, Respondent has been unable to coordinate with EPA counsel on the filing of this motion.

Respectfully submitted,



Robert H. Fitzgerald
Counsel for Polycarbon Industries, Inc.

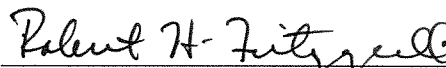
Date: January 16, 2019

CERTIFICATE OF SERVICE

I, Robert H. Fitzgerald, hereby certify that on January 16, 2019, I served a copy of the foregoing by electronic mail to the following:

Andrea Simpson, Esq.
Senior Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency – Region 1
5 Post Office Square – Suite 100 (OES04-2)
Boston, MA 02109-3912
simpson.andrea@epa.gov

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency – Region 1
5 Post Office Square – Suite 100 (ORC04-6)
Boston, MA 02109-3912
R1_Hearing_Clerk_Filings@epa.gov


Robert H. Fitzgerald, Esq.
Goodwin Procter LLP
100 Northern Avenue
Boston, MA 02210
rfitzgerald@goodwinlaw.com