

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

Via electronic filing

January 29, 2016

Sybil Anderson, Headquarters Hearing Clerk
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900R
William Jefferson Clinton Building
1200 Pennsylvania Ave. NW
Washington, DC 20460

Re: In the Matter of: Aylin, Inc., et al (Docket No. RCRA-03-2013-0039)

Dear Ms. Anderson:

Please find enclosed a copy of a Complainant's Unopposed Motion for One Business Day Extension of Time, Docket No. RCRA-03-2013-0039, in the above-referenced matter, filed electronically via the Office of Administrative Law Judge's electronic filing system.

Sincerely,



Janet E. Sharke
Senior Assistant Regional Counsel (3RC50)
sharke.janet@epa.gov
215-814-2689

cc: Jeffrey Leiter, Esq., Counsel for Respondents

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

In the Matter of:)	Docket No. RCRA-03-2013-0039
)	
Aylin, Inc., Rt. 58 Food Mart, Inc.,)	
Franklin Eagle Mart Corp., Adnan)	
Kiriscioglu, 5703 Holland Road Realty)	
Corp., 8917 South Quay Road Realty)	Proceeding Under Section 9006 of the
Corp., and 1397 Carrsville Highway)	Resource Conservation and Recovery
Realty Corp.)	Act, as amended, 42 U.S.C. § 6991e
)	
)	
)	
Respondents.)	

Complainant's Unopposed Motion for One Business Day Extension of Time to File
its Reply to Respondents' Response to Complainant's Motion for Partial Accelerated Decision

In accordance with Section 22.7(b) of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. § 22.7(b), Complainant respectfully requests a one business day extension of time in which to file its reply to Respondents' Response to Complainant's Motion for Partial Accelerated Decision on or before February 1, 2015, for the reasons set forth below.

1. On November 20, 2015, in accordance with this Court's Order on Motions, Complainant filed a Motion for Partial Accelerated Decision on Liability and Memorandum of Law in support ("A.D. Motion").

2. On December 8, 2015, Respondents filed a motion requesting an extension of time until January 15, 2016, to respond to the A.D. Motion. On December 10, 2015, the Presiding Officer granted Respondents' request, setting January 15, 2016, as the date by which Respondents' response to the A.D. Motion was due.

3. On January 19, 2016, Respondents filed their Response to Complainant's A.D. Motion, together with an Unopposed Motion for Leave to File Response One Business Day out of Time. Complainant received the Response via email on January 19, 2016.

4. Complainant has been diligently working on its reply to Respondents' Response, but due to unforeseen circumstances, including the historic snowstorm that occurred January 22-23, 2016, that affected the mid-Atlantic states, including the Philadelphia area (and closing the federal government in Washington, D.C., for at least two days), will be unable to file by close of business January 29, 2016. Complainant requests this very brief extension in order to thoroughly address the issues raised by Respondents in their Response.

5. Complainant has consulted with counsel for Respondents, who do not object to the granting of Complainant's request. Respondents will not be prejudiced by the granting of this brief extension.

In support of the granting of this motion, Complainant avers that Complainant has timely filed the motion, demonstrated good cause and that Respondents will not suffer prejudice by the granting of such motion, consistent with 40 C.F.R. § 22.7(b).

Therefore, in consideration of the foregoing reasons, Complainant respectfully requests that this Court grant Complainant's Unopposed Motion for One Business Day Extension of Time in which to file its Reply to Respondents' Response to Complainant's Motion for Partial Accelerated Decision on Liability, setting the due date as February 1, 2016.

Respectfully submitted,



Janet E. Sharke
Attorney for Complainant



Date

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, in accordance with the Office of Administrative Law Judge's new electronic filing system, effective August 11, 2014, I filed electronically one copy of the attached Complainant's Unopposed Motion for One Business Day Extension of Time, Docket No. RCRA-03-2013-0039 (Motion), for service to:


Sybil Anderson, Headquarters Hearing Clerk
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900R
William Jefferson Clinton Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

The Hon. Christine D. Coughlin
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900R
William Jefferson Clinton Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

I further certify that on the date set forth below, I served via email and first class mail, postage prepaid, a true and correct copy of the foregoing Motion to:

Jeffrey Leiter, Esq.
Counsel for Respondents
Bassman Mitchell Alfano & Leiter, Chtd.
1707 L Street, NW, Ste. 560
Washington, DC 20036

1/29/2016
Date



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