

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I**

\_\_\_\_\_)  
**IN THE MATTER OF:** )  
 )  
Southcoast Plating, Inc. )  
41 Coffin Street )  
New Bedford, MA )  
02746, )  
 )  
Respondent. )  
\_\_\_\_\_)

**Order Granting Final Extension  
of Time to File Answer to  
Complaint**

EPA Docket No.  
RCRA-01-2018-0036

The Complaint for this matter was filed on or about September 28, 2018. Pursuant to the Consolidated Rules of Practice, 40 C.F.R. Part 22, the Answer was due on or about October 28, 2018. 40 C.F.R. § 22.15. Respondent has moved for, and has been granted, several lengthy extensions of time to file an Answer to the Complaint.

The current deadline for Respondent to file an Answer was March 29, 2019, seven months after the initial service of the Complaint. In the Order Granting Final Extension of Time to File Answer to Complaint, the undersigned stated that the parties should either resolve this matter through settlement or prepare themselves for litigation because, absent extraordinary circumstances which cause additional unanticipated delay, the undersigned would not grant an additional extension of time.

The Respondent has asked for another short extension of time, until April 12, 2019, to file an Answer to the Complaint. In support of this request, Respondent states that the parties have reached a settlement in principle, and that a short, two-week extension is required to finalize this settlement. Complainant has consented to this request.

Under the rules governing this proceeding, “the Presiding Officer may grant an extension of time for filing any document: upon timely motion of a party to the proceeding, for good cause shown; and after consideration of prejudice to other parties; or upon its own initiative.” 40 C.F.R. § 22.7(b). Respondent has shown sufficient cause for extending the deadline one last time. A two-week extension should give the parties ample time to finalize the settlement. No additional extensions of time will be granted.

In accordance with 40 C.F.R. §§ 22.7(b) and 22.16(c), for good cause shown, the Respondent is granted a final extension of time to file an Answer to the Complaint. The deadline for Respondent to file an Answer to the Complaint is extended until the close of business on Friday, April 12, 2019.

**So Ordered:**

  
\_\_\_\_\_  
LeAnn Jensen  
Regional Judicial Officer

4/4/19  
\_\_\_\_\_  
Date

In the Matter of Southcoast Plating, Inc.  
Docket No. RCRA-01-2018-0036

**CERTIFICATE OF SERVICE**

I certify that on this 4<sup>th</sup> day of April, 2019 the original foregoing Order was filed with the Regional Hearing Clerk, a copy was hand-delivered to Counsel for Complainant, and a copy was mailed by certified mail, return receipt requested, to Counsel for Respondent.

April 4, 2019  
Date

Wanda I. Santiago  
Wanda I. Santiago  
Paralegal/Regional Hearing Clerk  
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