

# MINTZ LEVIN

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November 22, 2011  
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## BY HAND

Wanda Santiago, Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100 (ORA18-1)  
Boston, MA 02109-3912

Re: In the Matter of: Durham School Services, Limited Partnership  
EPA Docket No. CAA-01-2011-0127

Dear Ms. Santiago:

Enclosed for filing in the above-referenced matter are the original and one copy of the Respondent's Second Motion to Extend Time to Answer.

Thank you for your assistance.

Sincerely,

*Colin Van Dyke /KEW*  
Colin G. Van Dyke

Enclosures

cc: Timothy M. Conway, Esq. (EPA, Region 1)

5688939v.1

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION I

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In the Matter of: )  
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DURHAM SCHOOL SERVICES,  
LIMITED PARTNERSHIP )  
4300 Weaver Parkway )  
Warrenville, Illinois 60555 )  
)

Respondent )  
\_\_\_\_\_)

Docket No. CAA-01-2011-0127

**RESPONDENT'S SECOND MOTION TO EXTEND TIME TO ANSWER**

On September 29, 2011 Durham School Services, Limited Partnership (“Durham”), received the Complaint issued in the above-captioned matter by the United States Environmental Protection Agency, Region I (the “Complainant”). On October 27, 2011, Acting Regional Judicial Officer, Jill T. Metcalf, granted Durham’s motion to extend the time to file an answer to November 30, 2011. Since that time, Durham has conferred with Complainant in an effort to resolve this matter by settlement. In order to allow sufficient time for the parties to negotiate a settlement, Durham now requests an additional extension of thirty-five (35) days.


Complainant does not object to this motion. Durham further states that it is not aware that the Complainant would be prejudiced by an extension.

WHEREFORE, Durham hereby moves to extend the time for answering  
the Complaint until January 4, 2012.

Respectfully submitted,

**DURHAM SCHOOL SERVICES,  
LIMITED PARTNERSHIP**

By its attorney,

A handwritten signature in black ink that reads "Colin Van Dyke". The signature is written in a cursive style with a horizontal line underneath it.

Colin G. Van Dyke, BBO# 665021  
Mintz, Levin, Cohn, Ferris,  
Glovsky and Popeo, P.C.  
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**UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY  
REGION I**

In the Matter of:	)	
DURHAM SCHOOL SERVICES, LIMITED PARTNERSHIP 4300 Weaver Parkway Warrenville, Illinois 60555	)	Docket No. CAA-01-2011-0127
Respondent	)	<b><u>CERTIFICATE OF SERVICE</u></b>
	)	

I hereby certify that the foregoing Respondent's Second Motion to Extend Time to Answer has been sent to the following persons on the date noted below:

Original and One Copy (Hand-Delivered):	Wanda I. Santiago, Regional Hearing Clerk U.S. Environmental Protection Agency, Region 1 5 Post Office Square, Suite 100 Mail Code ORA18-1 Boston, MA 02109-3912
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Copy (Certified Mail, Return Receipt Requested):	Timothy M. Conway, Senior Enforcement Counsel U.S. Environmental Protection Agency, Region 1 5 Post Office Square, Suite 100 Mail Code OESO4-3 Boston, MA 02109-3912 Phone: (617) 918-1705 Fax: (617) 918-0705
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November 22, 2011

  
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