

Rudman & Winchell

COUNSELORS AT LAW

ABRAHAM M. RUDMAN (1896-1970)
ALBERT H. WINCHELL, JR. (1924-1992)

Phillip D. Buckley
207.992.2300
pbuckley@rudman-winchell.com

RECEIVED

NOV 30 2010

EPA ORC
Office of Regional Hearing Clerk

November 24, 2010

Ms. Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency – Region 1
5 Post Office Square – Suite 100
Boston, Massachusetts 02109-3912

Re: In the Matter of Montreal, Maine & Atlantic Railway, Inc.
CWA-01-2010-0048

Dear Ms. Santiago:

Enclosed for filing is Respondent's Second Request for Extension of Time to Respond in connection with the above-entitled matter.

Counsel for Complainant supports this request.

Thank you for your assistance in this matter.

Very truly yours,



PHILLIP D. BUCKLEY
PDB/mtp
Enclosure

Cc: Maximilian Boal, Enforcement Counsel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

RECEIVED
NOV 30 2010

EPA ORC
Office of Regional Hearing Clerk

IN THE MATTER OF:

MONTREAL, MAINE & ATLANTIC
RAILWAY, LTD.

Respondent

] SECOND
] REQUEST FOR EXTENSION
] OF TIME TO RESPOND
]
] Proceeding to Access Class II Civil Penalty Under
] CWA § 311 for SPCC and Oil Spill Violations
]
] Docket No. CWA-01-2010-0048

Respondent, Montreal, Maine & Atlantic Railway, Ltd. ("MMAR") requests that Respondent be given until December 31, 2010, to respond to the Complaint. The Complaint was served on Respondent on October 1, 2010. The grounds for the request are that representatives of the Complainant agency and Respondent participated in an initial settlement conference on October 26, 2010. Respondent provided information and documents to representatives of the Complainant agency, which needs to be further reviewed, additional documentation was requested, and additional time is needed to review material to continue to explore settlement of this matter. Respondent on November 22, 2010 furnished additional documents being reviewed and considered by the Complainant agency.

The attorneys for the Complainant support the Respondent's request.

WHEREFORE, Respondent respectfully requests that the time within which to respond to the Complaint be extended to December 31, 2010.

Dated: November 24, 2010


PHILLIP D. BUCKLEY, ESQUIRE
RUDMAN & WINCHELL
Attorneys for Respondent
84 Harlow Street – P.O. Box 1401
Bangor, Maine 04402-1401
(207) 947-4501