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February 2, 2009

Admitted in CA ME NH

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FEB 03 2009

**EPA ORC
Office of Regional Hearing Clerk**

VIA OVERNIGHT MAIL

Ms. Wanda Santiago
Regional Hearing Clerk
United States Environmental Protection Agency
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114-2023

Re: In the Matter of The Jackson Laboratory, Inc.;
Docket Nos: RCRA- 01-2008-0074; EPCRA- 01-2008-0091

Dear Ms. Santiago:

Please find enclosed an original and one copy of the Consented to Motion for Extension of Time in Which to Answer for filing in the above-captioned docket.

I have separately sent a copy via overnight mail to Joshua Secunda, as noted in the enclosed Certificate of Service.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ken Gray", written over a horizontal line.

Kenneth F. Gray

KFG:nej

Enclosure

cc: Joshua Secunda, Senior Enforcement Counsel, U.S. EPA Region 1

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FEB 03 2009

EPA ORC
Office of Regional Hearing Clerk

_____)
 In the Matter of:)
)
 The Jackson Laboratory)
 600 Main Street)
 Bar Harbor, Maine 04609)
)
 Respondent.)
)
 EPA I.D. No. MED042140483)
)
)
 Proceeding under Sections 3008(a) of the)
 Resource Conservation and Recovery Act,)
 42 U.S.C. § 6928(a); and Section 325(c))
 of the Emergency Planning and Community)
 Right-to-Know Act, 42 U.S.C. § 11045(c))

EPA Docket Numbers
 RCRA- 01-2008-0074
 EPCRA- 01-2008-0091

**CONSENTED TO
 MOTION FOR
 EXTENSION OF TIME
 IN WHICH TO ANSWER**

1. The Jackson Laboratory, Inc. received the Complaint in the above-captioned matter on Monday, September 29, 2008. In accord with 40 C.F.R. § 22.15(a), Respondent must file an Answer to said Complaint within 30 days after service of the Complaint, which date was Wednesday, October 29, 2008. Respondent obtained an extension to submit its Answer from October 29, 2008 to December 5, 2008 to allow for a meeting between the parties to discuss settlement. That meeting was not held due to a death and unavailability of an EPA staff member. Respondent obtained an extension until February 3, 2009.

2. The parties have exchanged correspondence and information in an attempt to promote settlement, and held productive discussions on resolving the matter, including

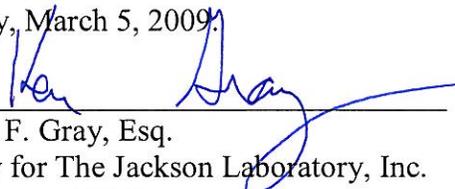
discussion of potential supplemental environmental projects. However, these discussions are not yet complete.

3. The Respondent requests a 30-day extension of time, until Thursday, March 5, 2009. The basis for this request is two-fold. First, the Jackson Laboratory, Inc. and Respondent's counsel have engaged in meaningful settlement discussions to date with EPA Senior Enforcement counsel and EPA RCRA staff. The Jackson Laboratory, Inc. and its counsel expect meaningful settlement discussions will continue and result in settlement of this matter. Second, those additional discussions are necessary to resolve issues of penalty, to complete development of a proposed supplemental environmental project, and to complete drafting a consent agreement documenting the settlement and addressing the supplemental environmental project.

4. Joshua Secunda, Senior Enforcement Counsel for EPA in this matter, has consented to this Motion for Extension of Time.

5. For these reasons, Respondent and EPA request the Regional Judicial Officer or his/her designate to order an extension of time to file an Answer to the Complaint to

Thursday, March 5, 2009.



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Feb. 2, 2009
Date