

RECEIVED
U.S. E.P.A.

2006 JAN 25 PM 1:42

ENVIR. APPEALS BOARD



GUILFORD RAIL SYSTEM

**BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY
SPRINGFIELD TERMINAL RAILWAY COMPANY
LAW DEPARTMENT
IRON HORSE PARK
NO. BILLERICA, MA 01862
DIRECT LINE (978) 663-1029
FACSIMILE (978) 663-1213
E-MAIL GNICKERSON@GUILFORDRAIL.COM**

To: Clerk of the Environmental Appeals Board, US EPA **Date: January 25, 2006**
Fax: 202/233-0121 **Pages: 4, including cover page**
From: Geoff Nickerson, Esq. **cc:**
Subject: NPDES Appeal No. 05-17

If this document does not transmit in full or if it is illegible, please contact us at (978) 663-1029. Thank you.

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:	}	
Boston and Maine Corporation	}	
East Deerfield, Massachusetts	}	
NPDES Permit No. MA 0000272	}	NPDES Appeal No. 05-17

**MOTION BY PERMITEE FOR EXTENSION OF TIME
TO FILE RESPONSE**

NOW COMES Boston and Maine Corporation (B&M), by and through its counsel and requests a ninety (90) day extension of time in which to file a response to "Petition to the Environmental Appeals Board for Review of NPDES Draft Permit # MA 0000272" dated October 26, 2005, submitted by Connecticut River Watershed Council, Inc., Jamison E. Colburn (Petitioners).

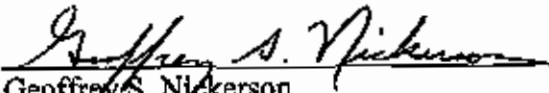
On December 21, 2005, the Environmental Appeals Board granted B&M's Motion to Participate in this proceeding, and directed B&M to file a written response to the Petition by February 3, 2005. B&M requests ninety additional days from February 3, 2006, until May 4, 2006, to file a response to the Petition.

As reason for its motion B&M states that U.S. EPA Region I (Region) has filed a Motion for Stay of Proceedings seeking an additional ninety (90) days to attempt to allow the parties to this proceeding to resolve this issue through settlement discussions. B&M requests an extension of a commensurate time in which to file its response to the Petition.

WHEREFORE, B&M respectfully requests that the Environmental Appeals Board grant B&M's motion to participate.

BOSTON AND MAINE CORPORATION
By its attorney

Dated: January 25, 2006


Geoffrey S. Nickerson
Massachusetts (BBO# 657988)
Boston and Maine Corporation
Iron Horse Park
North Billerica, MA 01862

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion by Permittee for Extension of Time to File Response in the matter of Boston and Maine Corporation, NPDES Appeal No. 05-17, were sent to the following persons in the manner indicated on January 25, 2006:

By First Class Mail: Professor Jamison Colburn
WNEC-Law School
1215 Wilbraham Rd.
Springfield, MA 01119-2654

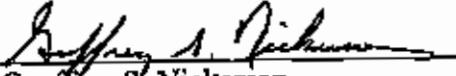
Andrea Donlon
River Steward
Connecticut River Watershed Council, Inc.
15 Bank Row
Greenfield, MA 01301

Ronald A. Fein, Assistant Regional Counsel
US EPA Region I
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114

Via Facsimile and
Overnight Courier:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
1341 G Street, N.W. Suite 600
Washington, D.C. 20005

Facsimile: (202) 233-0121


Geoffrey S. Nickerson
Massachusetts BBO# 657988
Iron Horse Park
North Billerica, MA 01862
Phone: 978/663-1029
Fax: 978/663-1213

RECEIVED
U.S. E.P.A.

2006 JAN 25 PM 1:42

ENVIR. APPEALS BOARD



GUILFORD RAIL SYSTEM

BOSTON & MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY
SPRINGFIELD TERMINAL RAILWAY COMPANY
LAW DEPARTMENT
IRON HORSE PARK
NO. BILLERICA, MA 01862
DIRECT LINE (978) 663-1029
FACSIMILE (978) 663-1213
E-MAIL GNICKERSON@GUILFORDRAIL.COM

To: Clerk of the Environmental Appeals Board, US EPA
Date: January 25, 2006
Fax: 202/233-0121
Pages: 4, including cover page
From: Geoff Nickerson, Esq.
cc:
Subject: NPDES Appeal No. 05-17

If this document does not transmit in full or if it is illegible, please contact us at (978) 663-1029. Thank you.

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:))
Boston and Maine Corporation)	NPDES Appeal No. 05-17
East Deerfield, Massachusetts)	
NPDES Permit No. MA 0000272)	

**MOTION BY PERMITTEE FOR EXTENSION OF TIME
TO FILE RESPONSE**

NOW COMES Boston and Maine Corporation (B&M), by and through its counsel and requests a ninety (90) day extension of time in which to file a response to "Petition to the Environmental Appeals Board for Review of NPDES Draft Permit # MA 0000272" dated October 26, 2005, submitted by Connecticut River Watershed Council, Inc., Jamison E. Colburn (Petitioners).

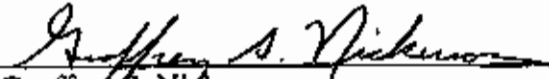
On December 21, 2005, the Environmental Appeals Board granted B&M's Motion to Participate in this proceeding, and directed B&M to file a written response to the Petition by February 3, 2005. B&M requests ninety additional days from February 3, 2006, until May 4, 2006, to file a response to the Petition.

As reason for its motion B&M states that U.S. EPA Region I (Region) has filed a Motion for Stay of Proceedings seeking an additional ninety (90) days to attempt to allow the parties to this proceeding to resolve this issue through settlement discussions. B&M requests an extension of a commensurate time in which to file its response to the Petition.

WHEREFORE, B&M respectfully requests that the Environmental Appeals Board grant B&M's motion to participate.

BOSTON AND MAINE CORPORATION
By its attorney

Dated: January 25, 2006


Geoffrey S. Nickerson
Massachusetts (BBO# 657988)
Boston and Maine Corporation
Iron Horse Park
North Billerica, MA 01862

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion by Permittee for Extension of Time to File Response in the matter of Boston and Maine Corporation, NPDES Appeal No. 05-17, were sent to the following persons in the manner indicated on January 25, 2006:

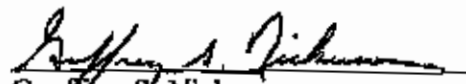
By First Class Mail: Professor Jamison Colburn
WNEC-Law School
1215 Wilbraham Rd.
Springfield, MA 01119-2654

Andrea Donlon
River Steward
Connecticut River Watershed Council, Inc.
15 Bank Row
Greenfield, MA 01301

Ronald A. Fein, Assistant Regional Counsel
US EPA Region I
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114

Via Facsimile and
Overnight Courier: U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
1341 G Street, N.W. Suite 600
Washington, D.C. 20005

Facsimile: (202) 233-0121


Geoffrey S. Nickerson
Massachusetts BBO# 657988
Iron Horse Park
North Billerica, MA 01862
Phone: 978/663-1029
Fax: 978/663-1213