



BOSTON & MAINE CORPORATION  
MAINE CENTRAL RAILROAD COMPANY  
SPRINGFIELD TERMINAL RAILWAY COMPANY

IRON HORSE PARK  
NO. BILLERICA, MASS. 01862

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2006 JAN 26 AM 9:42

ENVIRONMENTAL APPEALS BOARD

**LAW DEPARTMENT**  
**Phone: 978/663-1029**  
**Fax: 978/663-1213**

January 25, 2006

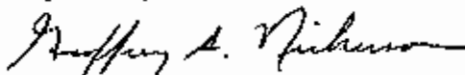
U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board  
1341 G. Street, N.W., Suite 600  
Washington, D.C. 20005

**Re: NPDES Appeal No. 05-17**  
**In re: Boston and Maine Corporation**

Dear Sir or Madame,

Please find enclosed an original Motion by Permittee for Extension of Time to File Response along with five photocopies. If you have any concerns, please do not hesitate to contact me.

Respectfully,

  
Geoffrey S. Nickerson

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

206 JAN 26 AM 9:42  
ENVIR. APPEALS BOARD

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

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).

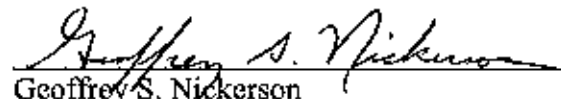
On December 21, 2005, the Environmental Appeals Board granted B&M's Motion to Participate in this proceeding, and directed B&M to file a written response to the Petition by February 3, 2006. B&M requests ninety additional days from February 3, 2006, until May 4, 2006, to file a response to the Petition.

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:

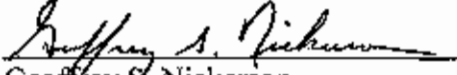
By First Class Mail: Professor Jamison Colburn  
WNEC-Law School  
1215 Wilbraham Rd.  
Springfield, MA 01119-2654

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

  
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