

BY ELECTRONIC MAIL

January 28, 2019

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency - Region I
5 Post Office Square - Suite 100 (ORC04-6)
Boston, MA 02109-3912
R1_Hearing_Clerk_Filings@epa.gov

Dear Ms. Santiago:

Please find enclosed for docketing and filing, Respondent Southcoast Plating's Motion to Extend Time to Answer.

Thank you for your attention to this matter.

Sincerely,
Jamy Buchanan Madeja, Esq.

Enclosures

Cc: Carlton Neves, Southcoast Plating Inc., d.b.a. Star Plating Co.
Marilyn Costa, Southcoast Plating Inc., d.b.a. Star Plating Co.
John Hultgren, Senior Enforcement Counsel, EPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

In the Matter of:)
)
Southcoast Plating, Inc.) Docket Number: RCRA-01-2018-0036
41 Coffin Street)
New Bedford, MA 02746)
_____)

CONSENTED TO MOTION TO EXTEND TIME FOR FINANCIAL INABILITY TO PAY

Respondent, Southcoast Plating, Inc. d.b.a. Star Plating Company, hereby moves pursuant to 40 C.F.R. §§ 22.7(b) and 22.16(a) for an additional extension of time to file an answer and a written request for a hearing in this matter. The parties calculate that such filing presently was due by January 11, 2019. Due to the extended shutdown of many United States of America government agencies, including the U.S. Environmental Protection Agency, this motion is being filed promptly upon reopening (today) of the U.S. EPA for regular course of business.

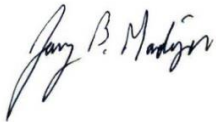
As grounds for this motion, Respondent states that counsel for Respondent and counsel for the U.S. EPA have been in diligent settlement discussions, which now include U.S. EPA's initial review of financial documents regarding Respondent's Inability to Pay the proposed penalty associated with this action. A first set of Inability to Pay documents were filed with the U.S. EPA on November 20, 2018, and upon EPA request, a second set of documents were submitted to the Agency on December 21, 2018, just before the government shutdown. Counsel for EPA today informed the undersigned that EPA's financial analyst has not yet reviewed the documents submitted on December 21, 2018 due to annual leave during the holiday period and

the government shutdown immediately after, and that a 6-week extension past January 11, 2019 is appropriate given these highly unusual circumstances. The additional time is needed for EPA's financial analysis of the submitted documents and for the parties to reach settlement terms.

Wherefore, Southcoast Plating, Inc. respectfully requests a CONSENTED –TO 6-week extension to February 22, 2019.

Respectfully submitted,

Southcoast Plating, Inc. d.b.a. Star Plating Company
Respondent
By its attorney,



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CERTIFICATE OF SERVICE

I, Jamy Buchanan Madeja, hereby certify that on January 28, 2018, I served a copy of the foregoing by electronic mail to the following:

John Hultgren
Senior Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency – Region I

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