

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

_____)
IN THE MATTER OF:)
)
Durham School Services,)
Limited Partnership)
4300 Weaver Parkway)
Warrenville, Illinois)
)
RESPONDENTS)
_____)

**Order Granting Third Extension
of Time to File Answer to
the Complaint**

EPA Docket Number No.
CAA-01-2011-0127

ORDER

In accordance with 40 C.F.R. §§22.7(b) and 22.16(c), for good cause shown, the time for Respondents to file an Answer is extended to the close of business on February 3, 2012

Dated: 12/20/11



LeAnn Jensen
Acting Regional Judicial Officer

In the Matter of Durham School Services, Limited Partnership

Docket No. CAA-01-2011-0127

CERTIFICATE OF SERVICE

I certify that on this 20th day of December, 2011 the original foregoing Order was filed with the Regional Hearing Clerk, a copy was hand-delivered to Counsel for Complainant, and a copy was mailed by certified mail, return receipt requested, to Counsel for Respondent.

12/20/11

Date

Wanda I. Santiago

Wanda I. Santiago

Regional Hearing Clerk

U.S. EPA Region I

5 Post Office Square, Suite 100

Mail code (ORA 18-1)

Boston, MA 02109-3912

Counsel for Respondent:

Colin G. Van Dyke

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

One Financial Center

Boston, MA 02111

Counsel for Complainant:

Timothy M. Conway

Enforcement Counsel

U.S. EPA Region I

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December 16, 2011 EPA ORC
OFFICE OF WS
REGIONAL HEARING CLERK

BY HAND

Wanda Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (ORA18-1)
Boston, MA 02109-3912

Re: In the Matter of: Durham School Services, Limited Partnership
EPA Docket No. CAA-01-2011-0127

Dear Ms. Santiago:

Enclosed for filing in the above-referenced matter are the original and one copy of the Respondent's Third Motion to Extend Time to Answer.

Thank you for your assistance.

Sincerely,



Colin G. Van Dyke

Enclosures

cc: Timothy M. Conway, Esq. (EPA, Region 1)

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Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

BOSTON | WASHINGTON | NEW YORK | STAMFORD | LOS ANGELES | PALO ALTO | SAN DIEGO | LONDON | ISRAEL

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION I

In the Matter of:

DURHAM SCHOOL SERVICES,
LIMITED PARTNERSHIP
4300 Weaver Parkway
Warrenville, Illinois 60555

Respondent

Docket No. CAA-01-2011-0127

RESPONDENT'S THIRD MOTION TO EXTEND TIME TO ANSWER

On September 29, 2011, Respondent Durham School Services, Limited Partnership ("Durham"), received the Complaint issued by the United States Environmental Protection Agency, Region I (the "Complainant") in the above-captioned matter. In order to provide sufficient time to resolve this matter through settlement, Durham has filed, and Acting Regional Judicial Officer Jill T. Metcalf has granted, two motions to extend the time to file an answer. The answer is now due on January 4, 2011, but because the holiday season is expected to interrupt and slow negotiations between the parties, Durham now requests a further extension of thirty (30) days to allow sufficient time for the parties to negotiate a settlement.

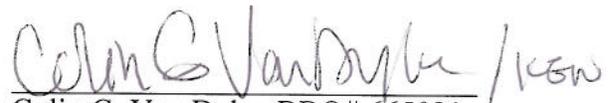
Complainant does not object to this motion. Durham further states that it is not aware that the Complainant would be prejudiced by an extension.

WHEREFORE, Durham hereby moves to extend the time for answering
the Complaint until February 3, 2012.

Respectfully submitted,

**DURHAM SCHOOL SERVICES,
LIMITED PARTNERSHIP**

By its attorney,

Handwritten signature of Colin G. Van Dyke in cursive, with initials "KCN" written to the right of the signature.

Colin G. Van Dyke, BBO# 665021

Mintz, Levin, Cohn, Ferris,

Glovsky and Popeo, P.C.

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