

Jeffrey M. Lovely, Esq.  
P.O. Box 510  
6 Railroad Avenue  
Foxboro MA 02035  
Jml4844@aol.com

RECEIVED  
2008 MAY 12 P 2: 53

Telephone: 508 698 3000

Fax: 508 543 0798

May 9, 2008

Ms. LeAnn Jensen  
Acting Regional Judicial Officer  
U.S. EPA, Region I  
One Congress Street, Suite 1100  
(Mail Code: RAA)  
Boston MA 02114-2023.

Re: In the Matter of Lynch  
Docket Number TSCA-01-2008-0045

Dear Judicial Officer Jensen:

Enclosed please find the original and one copy of:

**RESPONDENTS' SECOND MOTION TO EXTEND TIME TO ANSWER.**

Kindly docket and file this pleading.

I've discussed this with Attorney Kilborn, who has indicated that EPA will not oppose the motion, as we are in the process of trying to negotiate a SEP and settlement. Thus, I believe that no hearing will be required with regard to this motion but I would ask you to notify me if in fact a hearing will be required and/or if the motion is allowed.

Thank you.

Very truly yours,

Jeffrey M. Lovely

4299.000/Enc.  
CC: (distribution list per motion)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I**

**In the Matter of:** )  
)  
**Daniel J. Lynch and** )  
**Grace K. Lynch** )  
**One Main Street** )  
**Foxboro MA 02035** )  
)  
**Respondents.** )  
)  
**Proceeding under Section 16(a) of the** )  
**Toxic Substances Control Act,** )  
**15. U.S.C. §2615(a)** )

2008 MAY 12 P 2:53  
Docket No. TSCA-01-2008-0045  
REC'D  
CLERK

**SECOND MOTION TO EXTEND TIME TO ANSWER**

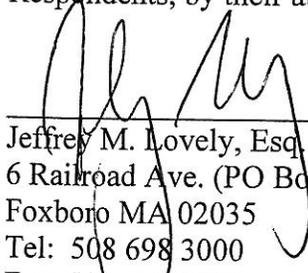
Pursuant to 40 C.F.R. § 22.7(b), Respondents Daniel J. Lynch and Grace K. Lynch respectfully request a second 30 day extension to June 15, 2008 to file a written Answer to the Complainant's Administrative Complaint in this action. As grounds for this motion, Respondents state as follows:

1. Respondents intend to enter into a settlement with EPA and to incorporate a Supplemental Environmental Project ("SEP") as part of said settlement.
2. An initial 30 day extension has been granted. During the first extension period, April 15 to May 15, 2008, Respondents actively gathered information regarding the SEP to be proposed, worked with their contractor of choice to obtain the necessary training, negotiated the terms of a contract to perform the work set forth in the SEP, reviewed the proposal with a licensed lead inspector to discuss work, timing, and costs, and drafted an forwarded a proposed SEP and COFA to EPA for review and negotiation.
3. The SEP and COFA were forwarded to EPA's lead attorney, John Kilborn, on

May 8, 2008.

4. Additional time is required to negotiate the final terms of the SEP and COFA.
5. Respondents are not aware of any prejudice to the interests of the Complainant.
6. Attorney John Kilborn, Senior Counsel for the Complainant, has indicated that the Complainant will not oppose the instant motion.

Respectfully submitted,  
Respondents, by their attorney,



---

Jeffrey M. Lovely, Esq.  
6 Railroad Ave. (PO Box 510)  
Foxboro MA 02035  
Tel: 508 698 3000  
Fax: 508 543 0798  
Email: [jml4844@aol.com](mailto:jml4844@aol.com)

Date: May 9, 2008

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Extend Time to Answer has been sent to the following persons on the date noted above:

Original and  
one copy, by first class mail:

Ms. LeAnn Jensen  
Acting Regional Judicial Officer  
U.S. EPA, Region I  
One Congress Street, Suite 1100  
(Mail Code: RAA)  
Boston MA 02114-2023

One copy, by first class mail:

Ms. Wanda Santiago  
Regional Hearing Clerk  
U.S. EPA, Region I  
One Congress Street, Suite 1100 (RAA)  
Boston, MA 02114-2023

One copy, by first class mail:

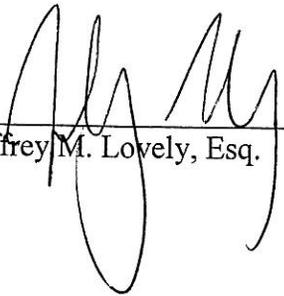
Joel Blumstein, Enforcement Manager  
U.S. EPA, Region I  
One Congress Street, Suite 1100  
Boston, MA 02114-2023

One copy, by first-class mail:

John W. Kilborn, Senior Enforcement Counsel  
U.S. EPA, Region 1  
One Congress Street, Suite 1100 (SES)  
Boston, MA 02114-2023

One copy, by first-class mail:

Daniel J. Lynch, individually and  
As Executor of the Estate of Grace K. Lynch  
One Main Street  
Foxboro MA 02035



Jeffrey M. Lovely, Esq.