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Admitted in: CA ME NH

November 19, 2010

RECEIVED

NOV 22 2010

EPA ORC WS
Office of Regional Hearing Clerk

VIA ELECTRONIC and OVERNIGHT MAIL

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

Re: In the Matter of Southern Maine Specialties, Inc.;
Docket No: RCRA-01-2010-0052

Dear Ms. Santiago:

Please find enclosed a copy of the Assented to Motion for Extension of Time to Answer, which was separately and simultaneously sent for filing via overnight mail to the Enforcement Counsel, Office of Environmental Stewardship.

Please call if you have any questions or concerns.

Very truly yours,

Kenneth F. Gray

KFG:pmp
Enclosure

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EPA ORC WS
Office of Regional Hearing Clerk

_____)
 In the Matter of:)
)
 SOUTHERN MAINE)
 SPECIALTIES, INC.)
 64 Industrial Park Road)
 Saco, Maine 04072)
)
 Respondent.)
)
)
 EPA ID No. ME5000001271)
)
)
 Proceeding under Section 3008(a) of the)
 Resource Conservation and Recovery Act,)
 42 U.S.C. § 6928(a))
 _____)

EPA DOCKET NO.
RCRA-01-2010-0052

**ASSENTED TO
MOTION FOR EXTENSION
OF TIME TO ANSWER**

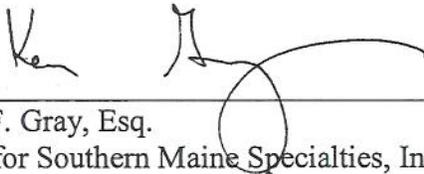
1. Southern Maine Specialties, Inc. ("SMS" or the "Respondent") received the Complaint in the above-captioned matter on September 22, 2010. In accord with 40 C.F.R. § 22.15(a), Respondent must file an Answer to said Complaint within 30 days after service of the Complaint, which date was October 22, 2010.
2. Respondent, joined by EPA, requested a thirty (30) day extension from October 22, 2010 to submit an Answer. EPA granted this request by Order of Jill T. Metcalf, Acting Regional Judicial Officer, dated October 18, 2010, extending the time for Respondent to file an Answer until November 22, 2010.
3. The Respondent requests a 30-day extension of time, until Monday, December 20, 2010. The basis for this request is two-fold. First, SMS and Respondent's counsel have engaged in meaningful settlement discussions to date with EPA Enforcement counsel and EPA RCRA staff. However, these discussions are not yet complete. SMS and its counsel expect meaningful settlement discussions will continue and result in settlement of this

matter. Second, those additional discussions and time are necessary for EPA to complete its consideration of the settlement proposal of SMS, and for the parties to complete drafting a consent agreement documenting the settlement. Settlement in this case will render filing an Answer and a hearing unnecessary.

4. Christine Foot, Enforcement Counsel for EPA in this matter, has consented to this Motion for Extension of Time.

5. This motion for an extension of time is timely filed, and is filed in advance of the due date, so as to allow the Regional Hearing Officer or his/her designate the reasonable opportunity to issue an order.

6. For these reasons, Respondent and EPA request the Regional Judicial Officer or his/her designate to order that the time to file an Answer to the Complaint is extended to December 20, 2010.



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November 19, 2010
Date