

BUCHANAN & ASSOCIATES
100 CAMBRIDGE STREET, 14TH FLOOR
BOSTON, MA 02114

March 29, 2019

Via Electronic Mail

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

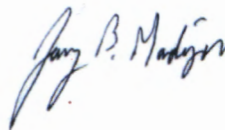
Re: EPA Docket No.: RCRA-01-2018-0036

Dear Ms. Santiago:

Please find enclosed for docketing and filing, Respondent Southcoast Plating's Assented to Motion to Extend Time to Answer. The Respondent understands that this is the fourth request for an extension, and that another extension would not typically be granted at this point. However, counsel for both parties have worked diligently to meet a resolution, and yesterday, March 28, 2019, reached a settlement-in-principle. This final extension would provide for enough time to finalize the now agreed upon settlement-in-principle between Respondent and EPA counsel into a Consent Agreement and Final Order for review and approval by the Regional Judicial Officer.

Thank you in advance for your consideration and assistance with this matter.

Sincerely,



Jamy Buchanan Madeja, Esq.

Enclosures:

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

Draft Agenda

Great Bay Update Meeting

April 2, 2:00 PM – 3:30 PM Mt Chocura Room 7th floor

Report out of meetings with communities (Ken)

Status of DES (Ken)

General Permit (Ellen/Michael)

MS4 implementation (Suzanne)

PREP Management Committee report-out (Regina/Erik)

303(d) list (Ralph/Toby)

Nitrogen control plans (Mark V.)

Credit for Going Green

PTAPP

Municipal Finance Workshops (Josh/Anne/Jackie)

Adaptive Management Monitoring Plan

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I**

IN THE MATTER OF:)	
)	
Southcoast Plating, Inc.)	Order Granting Final Extension
41 Coffin Street)	of Time to File Answer to
New Bedford, MA)	Complaint
02746,)	
)	EPA Docket No.
Respondent.)	RCRA-01-2018-0036
)	
)	

The Complaint for this matter was filed on or about September 28, 2018. Pursuant to the Consolidated Rules of Practice, 40 C.F.R. Part 22, the Answer was due on or about October 28, 2018. 40 C.F.R. § 22.15. Respondent has moved for, and has been granted, several lengthy extensions of time to file an Answer to the Complaint.

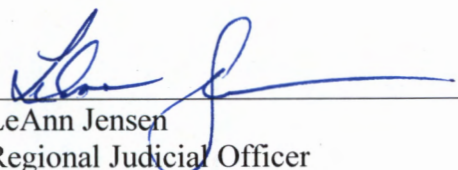
The current deadline for Respondent to file an Answer was March 29, 2019, seven months after the initial service of the Complaint. In the Order Granting Final Extension of Time to File Answer to Complaint, the undersigned stated that the parties should either resolve this matter through settlement or prepare themselves for litigation because, absent extraordinary circumstances which cause additional unanticipated delay, the undersigned would not grant an additional extension of time.

The Respondent has asked for another short extension of time, until April 12, 2019, to file an Answer to the Complaint. In support of this request, Respondent states that the parties have reached a settlement in principle, and that a short, two-week extension is required to finalize this settlement. Complainant has consented to this request.

Under the rules governing this proceeding, “the Presiding Officer may grant an extension of time for filing any document: upon timely motion of a party to the proceeding, for good cause shown; and after consideration of prejudice to other parties; or upon its own initiative.” 40 C.F.R. § 22.7(b). Respondent has shown sufficient cause for extending the deadline one last time. A two-week extension should give the parties ample time to finalize the settlement. No additional extensions of time will be granted.

In accordance with 40 C.F.R. §§ 22.7(b) and 22.16(c), for good cause shown, the Respondent is granted a final extension of time to file an Answer to the Complaint. The deadline for Respondent to file an Answer to the Complaint is extended until the close of business on Friday, April 12, 2019.

So Ordered:



LeAnn Jensen
Regional Judicial Officer

4/4/19

Date

In the Matter of Southcoast Plating, Inc.
Docket No. RCRA-01-2018-0036

CERTIFICATE OF SERVICE

I certify that on this 4th day of April, 2019 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.

April 4, 2019
Date

Wanda I. Santiago
Wanda I. Santiago
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