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JAMES P. KILLORAN
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August 25, 2015

Ms. Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region 1 (ORA 18-1)
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

**RE: IN THE MATTER OF: BACON-AGOSTINI CONSTRUCTION CO., INC.
AND K.R. REZENDES, INC., RESPONDENTS
DOCKET NUMBER: #CWA-01-2015-0034**

Dear Ms. Santiago:

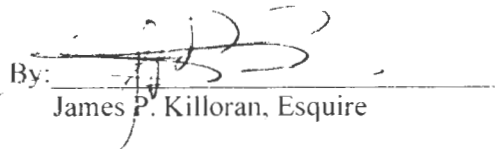
Enclosed for filing in the above captioned matter, please find enclosed the following: (1) Respondent K.R. Rezendes, Inc.'s Unopposed Motion for Extension of Time to Respond to Administrative Complaint; and, (2) K.R. Rezendes, Inc. Certificate of Service.

In accordance with the Standing Order Authorizing Filing and Service by E-Mail in Proceedings Before the Region 1 Regional Judicial Officer, K.R. Rezendes, Inc. does file the subject Unopposed Motion electronically.

Thanking you for your attention to the foregoing, I remain,

Very truly yours,

KILLORAN & KILLORAN

By: 
James P. Killoran, Esquire

JPK/paa

Enclosures

Cc: Mr. Kenneth R. Rezendes, Jr. – VIA EMAIL AND FIRST CLASS MAIL THIS DATE
Scott A. McQuilkin, Esquire – VIA EMAIL AND FIRST CLASS MAIL THIS DATE
William D. Chin, Esquire – VIA EMAIL AND FIRST CLASS MAIL THIS DATE
Ms. Pamela Taibot – VIA FIRST CLASS MAIL

VIA EMAIL AND FIRST CLASS MAIL THIS DATE

dic: 08/25/15

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

<u>IN THE MATTER OF:</u>)	Docket Number: #CWA-01-2015-0034
))
Bacon-Agostini Construction Co., Inc.))
And K.R. Rezendes, Inc.))
))
Respondents.)	Administrative Complaint and
)	Notice of Opportunity for Hearing
))
Somerset-Berkley Regional High School))
Construction Site)	Proceeding to Assess Class II
625 County Street)	of the Clean Water Act
Somerset, MA 02726))
))

**UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO ADMINISTRATIVE COMPLAINT**

In accordance with 40 C.F.C. § 22.7, the Respondent, K.R. Rezendes, Inc. (“Rezendes”), does respectfully request an extension of time until and including September 30, 2015 to respond to the Administrative Complaint and Notice of Opportunity for Hearing in this matter (“Administrative Complaint”). Counsel for Rezendes has consulted with the United States Environmental Protection Agency’s (“EPA”) Enforcement Counsel as to the filing of this Motion and he does not oppose the same.

As grounds for this Motion, Rezendes says as follows:

1. The undersigned has just been engaged by Rezendes as of late last week and he therefore requires a reasonable period of time within which to familiarize himself with the instant proceedings;
2. Given the schedules of Counsel, and the heretofore cited need for Counsel for Rezendes to become familiar with the pending matter, all of the parties will be unable to meet before September, 2015, that is, after the current August 31, 2015 due date for Bacon-Agostini Construction Co., Inc. (“Bacon-Agostini”) and Rezendes to respond to the Administrative Complaint;
3. That Enforcement Counsel for the EPA has advised that he would not object to a Motion by Rezendes to extend the date by which Rezendes must respond to the Administrative Complaint to September 30, 2015 such that Counsel for Rezendes might become sufficiently familiar with this action so as to enable him to engage in meaningful

discussions with the EPA and Bacon-Agostini, and likewise, that Enforcement Counsel would not object to a similar Motion by Bacon-Agostini for the same extension of time;

4. That Rezendes and the EPA's Enforcement Counsel agree that a further extension of time to respond to the Administrative Complaint up to and including September 30, 2015 should allow all three (3) parties adequate time to determine whether this matter might be settled without further action by any party named in the pending proceeding;

5. That no party will be prejudiced by the requested extension; and.

6. By the filing of this instant Motion Rezendes is not waiving any rights or defenses with respect to the Administrative Complaint.

WHEREFORE, Rezendes does respectfully request that the Regional Judicial Officer enter an order extending the time by which Rezendes must respond to the Administrative Complaint up to and including September 30, 2015; and, for such other and further relief as may be just and reasonable in the circumstances.

Dated: August 25, 2015

K.R. REZENDES, INC.

By Its Attorney,

KILLORAN & KILLORAN

By: 

James P. Killoran, Esquire

B.B.O. #271800

350 North Main Street

Fall River, Massachusetts 02720

Tel. #508-675-9100

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

IN THE MATTER OF:)	Docket Number: #CWA-01-2015-0034
Bacon-Agostini Construction Co., Inc.)	
And K.R. Rezendes, Inc.)	
Respondents.)	Administrative Complaint and Notice of Opportunity for Hearing
Somerset-Berkley Regional High School)	
Construction Site)	Proceeding to Assess Class II of the Clean Water Act
625 County Street)	
Somerset, MA 02726)	
)	

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that the accompanying Unopposed Motion for Extension of Time to Respond to Administrative Complaint has been sent to the following persons/parties on the date noted below:

Original and one copy by Email and
First Class Mail:

Ms. Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region I (ORA 18-1)
5 Post Office Square, Suite 100
Boston, MA 02109-3912
(R1_Hearing_Clerk_Filings@epa.gov)

Copy by Email and First Class Mail:

William D. Chin, Esquire
U.S. EPA, Enforcement Counsel
5 Post Office Square, Suite 100
Boston, MA 02109-3912
(chin.bill@epa.gov)

Copy by Email and First Class Mail:

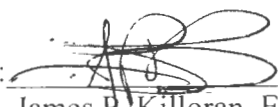
Counsel for Bacon-Agostini
Construction Co., Inc.
Scott A. McQuilkin, Esquire
SAUL EWING LLP
131 Dartmouth Street, Suite 501
Boston, MA 02116
Tel: (617) 723-3300
Fax: (617) 723-4151
(smequilkin@saul.c.com)

Copy by First Class Mail:

Pamela Talbot
Massachusetts Department of
Environmental Protection
One Winter Street, 7th Floor
Boston, MA 02108

Dated: August 25, 2015

K.R. REZENDES, INC.
By Its Attorney,
KILLORAN & KILLORAN

By: 
James P. Killoran, Esquire
B.B.O. #271800
350 North Main Street
Fall River, Massachusetts 02720
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Email: jkilloran@killoranlaw.com

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