

DEC 31 2007

EPA ORC
Office of Regional Hearing Clerk

December 28, 2007

Ann M. Sobolewski
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BY HAND

Wanda Rivera
Regional Hearing Clerk
U.S. Environmental Protection Agency—Region I
One Congress Street
Suite 1100 Mail Code RAA
Boston, MA 02114

Re: In the Matter of Alden Woods, Inc.
CWA-01-2008-0011

Dear Ms. Rivera:

Enclosed please find the following documents for filing in the above-referenced matter:

1. Motion For Extension Of Time In Which To Answer The Administrative Complaint;
2. Proposed Order; and
3. Certificate of Service.

I have also enclosed one copy of each of these documents.

Thank you for your attention to this matter. Should you have any questions please contact me.

Very truly yours,



Ann M. Sobolewski

Enclosure

cc: Clealand B. Blair
Rosanna Sattler, Esq.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

RECEIVED

DEC 31 2007

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Office of Regional Hearing Clerk

In the Matter of:	Docket No. CWA-01-2008-0011
ALDEN WOODS, INC. 87 Main Street Rutland, Massachusetts,	MOTION FOR EXTENSION OF TIME IN WHICH TO ANSWER THE ADMINISTRATIVE COMPLAINT
Respondent	Proceeding Under Section 309(g) of the Clean Water Act

I. NEED FOR AN EXTENSION

Alden Woods, Inc. ("Alden") received the Administrative Complaint Proposing to Assess a Civil Penalty on December 4, 2007. Since that time, we have been in contact with Kathleen Woodward, EPA Counsel on this matter to discuss this matter and to explore the possibilities of settlement. Information necessary to address the substantive allegations of the Administrative Complaint is being assembled, however, the timeframes at issue in the Amended Complaint span a seven year period, from 2000 to 2007. Thus, the investigation necessary to answer the Administrative Complaint is an extensive and expensive endeavor. At this time, Alden requests a thirty (30) day extension of the deadline for filing an answer to the Administrative Complaint in order to explore the possibility for settlement of this matter so that all parties can avoid incurring unnecessary litigation costs.

We are in the process of scheduling an informal settlement conference with EPA Region 1 in January 2008. It would impose an unnecessary financial burden on Alden to require preparation of an answer to the Administrative Complaint if, as appears possible, settlement of

this matter can be achieved without having to do so. The requested thirty (30) day extension should provide sufficient time to determine if a settlement is likely.

EPA counsel Kathleen Woodward has indicated that she does not object to this extension of time in which to answer the Administrative Complaint, until February 4, 2008.

II. AUTHORITY TO GRANT AN EXTENSION

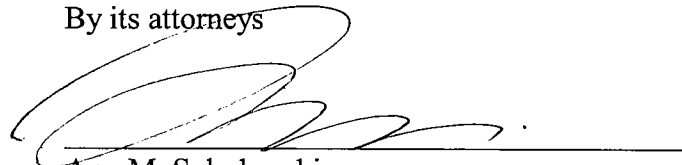
Pursuant to the Consolidated Rules of Practice, 40 C.F.R. §22.7(b), the Presiding Officer may grant an extension of time for filing any document including a written answer to an Administrative Complaint, upon timely motion of a party to the proceeding, for good cause shown and after consideration of prejudice to other parties. This Motion is made in advance of the January 4, 2008 deadline for submitting the answer, is intended to allow all parties to pursue settlement of this matter at an early stage of these proceedings and is not opposed by the EPA. For these reasons, Alden's request complies with the requirements of 40 C.F.R. §22.7.

III. REQUEST FOR EXTENSION

As there is no prejudice to any other party and there is good cause for an extension of time in which to file an Answer to the Administrative Complaint, Alden Woods, Inc. respectfully requests that the time for filing an Answer to this Complaint be extended to February 4, 2008.

Respectfully Submitted.

ALDEN WOODS, INC
By its attorneys



Ann M. Sobolewski
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Dated: December 28, 2007

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

DEC 31 2007

EPA ORC
Office of Regional Hearing Clerk

In the Matter of:

ALDEN WOODS, INC.
87 Main Street
Rutland, Massachusetts,

Respondent

Docket No. CWA-01-2008-0011

ORDER GRANTING EXTENSION OF
TIME IN WHICH TO ANSWER THE
ADMINISTRATIVE COMPLAINT

Proceeding Under Section 309(g) of the
Clean Water Act

ORDER

In accordance with 40 C.F.R. §22.7(b), and 22.16(c), for good cause shown, the time for Respondent, Alden Woods, Inc., to file an answer is extended to the close of business on February 4, 2008.

Jill Metcalf
Regional Judicial Officer

Dated: _____

In the Matter of: Alden Woods, Inc.

Docket No. CWA-01-2008-0011

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion For Extension Of Time In Which To Answer The Administrative Complaint and Proposed Order were sent to the following persons, in the manner specified, on the date below:

Copy hand delivered:

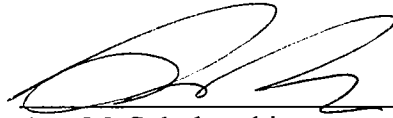
Wanda Rivera
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Suite 1100, Mail Code RAA
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Copy by Overnight Mail

Kathleen E. Woodward, Esq.
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