

JANET T. MILLS
ATTORNEY GENERAL



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April 10, 2015

Wanda Santiago
Regional Hearing Clerk
U.S. EPA Region 1
One Congress Street, Suite 1100 (ORA 18-1)
Boston, MA 02114-2023

RECEIVED

APR 16 2014

EPA ORC
Office of Regional Hearing Clerk

Re: Maine Health & Environmental Laboratory,
Docket No. RCRA-01-2015-0024

Dear Ms. Santiago

Enclosed in the above-referenced matter, please find the original and one copy of the Motion for Extension of Time to Answer the Complaint, Seek Review of the Compliance Order and Request a Hearing. Ms. Zucker has agreed to this motion. Please present it to the Regional Hearing Officer at your earliest convenience.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deanna L. White".

Deanna L. White,
Assistant Attorney General
Maine Bar No. 3323
(207) 626-8822
deanna.white@maine.gov

Cc: Audrey Zucker, Esq.
Kenneth G. Pote, Ph.D.

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

IN THE MATTER OF:)	Docket No. RCRA-01-2015-0024
)	
Maine Health & Environmental)	MOTION FOR EXTENSION OF TIME
Testing Laboratory)	TO RESPOND TO COMPLAINT,
221 State Street)	REQUEST A HEARING, AND
Augusta, ME 04333)	SEEK REVIEW OF THE
Respondent)	COMPLIANCE ORDER
)	
EPA ID No. MER2832)	
)	
Proceeding under Section 3008(a))	
Resource Conservation and Recovery)	
Act, 42 U.S.C. §6928(a))	
)	
)	

MOTION TO EXTEND TIME TO RESPOND TO ADMINISTRATIVE COMPLAINT,
COMPLIANCE ORDER, AND NOTICE OF OPPORTUNITY FOR HEARING WITH
CONSENT OF EPA ENFORCEMENT COUNSEL

NOW COMES THE STATE OF MAINE HEALTH AND ENVIRONMENTAL TESTING LABORATORY (“HETL”), Respondent, by and through its attorney, Deanna L. White, Assistant Attorney General, and requests an extension of the deadline for Respondent to file an Answer to the Complaint, seek administrative review of the Compliance Order, and Request a Hearing to May 27, 2015, and in support thereof states as follows:

1. Shortly after being served with the complaint, Respondent and Enforcement Counsel spoke by telephone and scheduled an informal settlement conference for either April 30th or May 1st. These dates are after the original answering deadline of April 27th.
2. It is likely that the informal settlement conference will be productive.
3. Because this is a typically complex RCRA case and has a governmental entity as Respondent, the Office of the Attorney General needs more time to confer with a number of witnesses and officials, and collect and consider potential evidence to respond effectively.
4. Counsel for HETL has a vacation planned prior to this action for the entire week of April 20-24, 2015 (school vacation week).

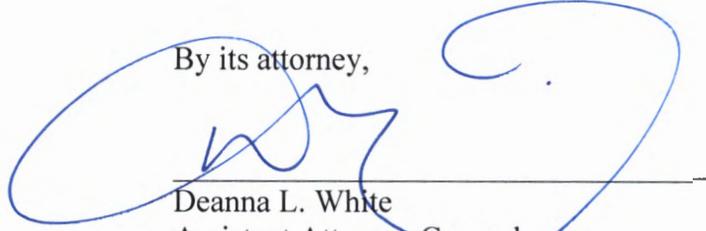
WHEREFORE, Respondent respectfully requests the time to file an Answer to the complaint, seek review of the Compliance Order and request a hearing be extended until the close of business on Wednesday, May 27, 2015.

Respectfully submitted,

Health and Environmental Testing Laboratory
Division of Public Health Systems
Maine Center for Disease Control and Prevention
Department of Health and Human Services
State of Maine

Date: 4-10-15

By its attorney,

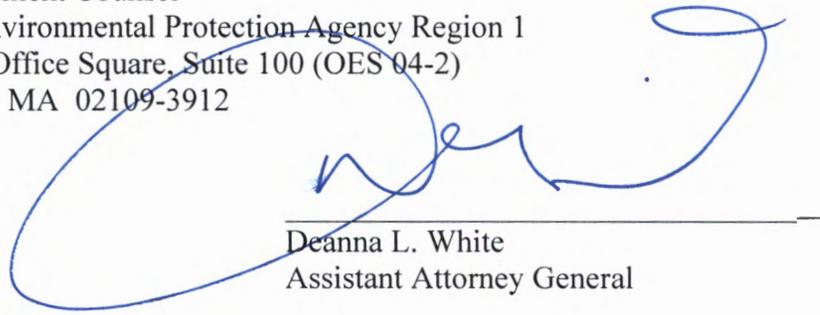


Deanna L. White
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Certificate of Service

I, Deanna L. White, AAG, herby certify that on April 10, 2015, I have caused a true copy of the foregoing to be served by first-class mail, postage prepaid, to:

Audrey Zucker, Esq.,
Enforcement Counsel
U.S. Environmental Protection Agency Region 1
5 Post Office Square, Suite 100 (OES 04-2)
Boston, MA 02109-3912



Deanna L. White
Assistant Attorney General

CERTIFICATE OF SERVICE

I certify that on ____ April 2015, 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.

Date:

Wanda I. Santiago
Regional Hearing Clerk
U.S. EPA Region 1
One Congress Street, Suite 1100 (ORA 18-1)
Boston, MA 02114-2023

Complainant

Audrey Zucker, Esq.,
Enforcement Counsel
U.S. Environmental Protection Agency Region 1
5 Post Office Square, Suite 100 (OES 04-2)
Boston, MA 02109-3912

Respondent

Deanna L. White, AAG
Office of the Attorney General
State House Station 6
Augusta, ME 04333