

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. Environmental  
Protection Agency-Reg 2  
2014 SEP 17 PM 1:45  
REGIONAL HEARING  
CLERK

In the Matter of: )  
)  
Town of Smithtown, ) Docket No. CWA-02-2014-3306  
)  
Respondent. )


JOINT MOTION FOR EXTENSION OF TIME  
TO FILE THE ANSWER

The complaint in the above matter was filed by Complainant, United States Environmental Protection Agency ("EPA"), on August 22, 2014, and received by Respondent on August 28, 2014. Therefore, Respondent's answer is due on or before September 29, 2014.

The parties spoke on Thursday, September 11, 2014 about scheduling an informal settlement conference and anticipate holding such a conference within 30 days in order to attempt to reach a settlement of this matter.

Both parties anticipate that they will be able to resolve this matter through settlement, and agreed to jointly move for an extension of time for Respondent to file the answer. Therefore, on behalf of the parties, Respondent hereby requests a 60-day extension of the date to file an answer, so the answer would be due on November 28, 2014.

Respectfully submitted by



Matthew V. Jakubowski  
Town Attorney  
Town of Smithtown  
99 West Main Street  
Smithtown, New York 11787  
(631) 360-7570

Dated: September 15, 2014

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

In the Matter of: )  
)  
Town of Smithtown, ) Docket No. CWA-02-2014-3306  
)  
Respondent. )

CERTIFICATE OF SERVICE

I certify that the foregoing **Joint Motion for Extension of Time to File the Answer**, dated September 15, 2014, was sent this day in the following manner to the addressees listed below:

Original and One Copy ) Office of Regional Hearing Clerk  
By First Class Mail: ) U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16th Floor  
New York, New York 10007-1866

Copies By First Class Mail: ) Helen S. Ferrara  
Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 2  
290 Broadway  
New York, NY 1007-1866

Kim Kramer  
Water & General Law Branch  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
290 Broadway, 16th Floor  
New York, New York 10007-1866

Dated: 9/15/14

Keith L. McQuinn

In the Matter of the Application of

Town of Smithtown  
99 West Main Street  
Smithtown, New York 11787

SPDES Permit No. NYR20A277

Respondent

Proceeding pursuant to Section 309(g) of the  
Clean Water Act, 33 U.S.C. §1319(g)

JOINT MOTION FOR EXTENSION OF TIME TO FILE THE ANSWER

OFFICE OF THE TOWN ATTORNEY  
**TOWN OF SMITHTOWN**  
99 WEST MAIN STREET  
P.O. BOX 9090  
SMITHTOWN, NEW YORK 11787  
(631) 360-7570  
FAX NO. (631) 360-7719

To: SIGNATURE (RULE 130-1.1A)

MATTHEW V. JAKUBOWSKI, TOWN ATTORNEY

ATTORNEYS FOR:

SERVICE OF A COPY OF THE  
WITHIN IS HEREBY ADMITTED:

Dated:

PLEASE TAKE NOTICE:

NOTICE OF ENTRY

THAT THE WITHIN IS A (CERTIFIED) TRUE COPY OF  
A DULY ENTERED IN THE OFFICE OF THE CLERK OF  
THE WITHIN NAMED COURT ON

NOTICE OF SETTLEMENT

THAT AN ORDER OF WHICH THE WITHIN IS A TRUE COPY, WILL BE PRESENTED FOR SETTLEMENT TO THE  
HON. , ONE OF THE JUDGES OF THE WITHIN NAMED COURT, AT , ON AT M.

DATED: SMITHTOWN, NEW YORK  
2014

YOURS, ETC.

OFFICE OF THE TOWN ATTORNEY  
**TOWN OF SMITHTOWN**  
99 West Main Street  
P.O. Box 9090  
SMITHTOWN, N.Y. 11787