

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

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

THIRD 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 September 10, 2015, and in support thereof states as follows:

1. Respondent HETL, Enforcement Counsel/EPA had a productive second settlement conference on July 15, 2015. That settlement conference considered HETL’s responses and generated more action items regarding potential settlement of the matter and requiring time to respond.
2. Because this is a typically complex RCRA case and has a governmental entity as Respondent, the Office of the Attorney General needs time to confer with a number of officials, and consider potential projects and proposals.
3. At this time, it would be beneficial for both sides to continue to work towards settling this matter, and Enforcement Counsel agrees with this request for an extension of time.
4. July 27, 2015 is the current due date for the answer.

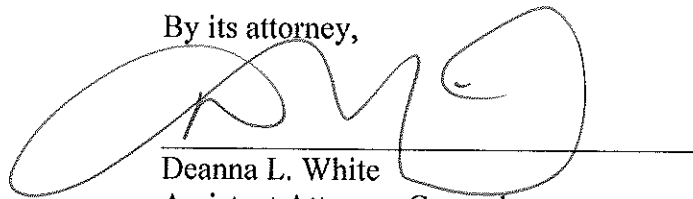
WHEREFORE, Respondent respectfully requests the time to file an Answer to the Complaint, seek review of the Compliance Order and request a hearing be extended until the close of business on Thursday September 10, 2015.

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: 7.21.15

By its attorney,

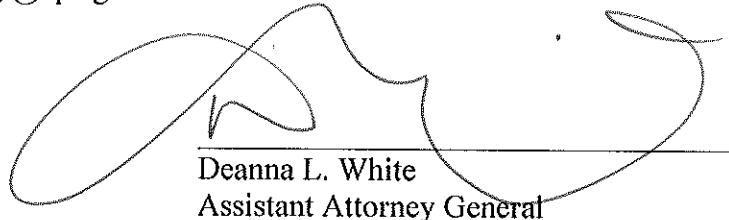


Deanna L. White
Assistant Attorney General
Maine Bar No. 3323
State House Station 6
Augusta, ME 04333
(207) 626-8800
deanna.white@maine.gov

Certificate of Service

I, Deanna L. White, AAG, hereby certify that on July 21, 2015, I have caused a true copy of the foregoing to be served by scan and e-mail, 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
Zucker.Audrey@epa.gov



Deanna L. White
Assistant Attorney General

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

_____)	
IN THE MATTER OF:)	Docket No. RCRA-01-2015-0024
)	
Maine Health & Environmental)	ORDER
Testing Laboratory)	Granting Third Extension of Time
221 State Street)	to Answer Complaint and Request Hearing
Augusta, ME 04333)	on Compliance Order and Complaint
)	
Respondent)	
_____)	

ORDER

In accordance with 40 C.F.R. §22.7(b) and 22.16(c), for good cause shown, the Respondent is granted an extension of time to file an Answer to the Complaint and request hearing on the Complaint and Compliance Order. Accordingly, the deadline for Respondent to file an Answer to the Complaint and Request Hearing is extended until the close of business on Thursday, September 10, 2015.

Date:

LeAnn Jensen
Regional Judicial Officer

CERTIFICATE OF SERVICE

I certify that on ____ 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.,
Senior Enforcement Counsel
U.S. Environmental Protection Agency Region 1
5 Post Office Square, Suite 100 (OES 04-2)
Boston, MA 02109-3912
Zucker.Audrey@epa.gov

Respondent

Deanna L. White, AAG
Office of the Attorney General
State House Station 6
Augusta, ME 04333
deanna.white@maine.gov