

# Rudman & Winchell

COUNSELORS AT LAW

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OCT 29 2010

EPA ORC  
Office of Regional Hearing Clerk

October 27, 2010

Ms. Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 1  
5 Post Office Square – Suite 100  
Boston, Massachusetts 02109-3912

Re: In the Matter of Montreal, Maine & Atlantic Railway, Inc.  
CWA-01-2010-0048

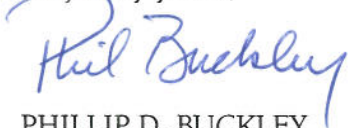
Dear Ms. Santiago:

Enclosed for filing is Respondent's Request for Extension of Time to Respond in connection with the above-entitled matter.

Counsel for Complainant has no objection to the granting of this request.

Thank you for your assistance in this matter.

Very truly yours,



PHILLIP D. BUCKLEY  
PDB/ml  
Enclosure

Cc: Maximilian Boal, Enforcement Counsel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I


IN THE MATTER OF: ]  
] REQUEST FOR EXTENSION  
] OF TIME TO RESPOND  
MONTREAL, MAINE & ATLANTIC ]  
RAILWAY, LTD. ] Proceeding to Access Class II Civil Penalty Under  
] CWA § 311 for SPCC and Oil Spill Violations  
Respondent ]  
] Docket No. CWA-01-2010-0048

Respondent, Montreal, Maine & Atlantic Railway, Ltd. (“MMAR”) requests that Respondent be given until November 30, 2010, to respond to the Complaint. The Complaint was served on Respondent on October 1, 2010. The grounds for the request are that representatives of the Complainant agency and Respondent participated in an initial settlement conference on October 26, 2010. Respondent provided information and documents to representatives of the Complainant agency, which needs to be further reviewed, additional documentation was requested, and additional time is needed to review material to continue to explore settlement of this matter.

The attorneys for the Complainant do not object to Respondent’s request.

WHEREFORE, Respondent respectfully requests that the time within which to respond to the Complaint be extended to November 30, 2010.

Dated: October 27, 2010

  
\_\_\_\_\_  
PHILLIP D. BUCKLEY, ESQUIRE  
RUDMAN & WINCHELL  
Attorneys for Respondent  
84 Harlow Street – P.O. Box 1401  
Bangor, Maine 04402-1401  
(207) 947-4501

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

IN THE MATTER OF: )

Montreal, Maine & Atlantic Railway, LTD )

Respondents )


**Order Granting Extension  
of Time to  
File an Answer**

EPA Docket Number  
CWA-01-2010-0048

**ORDER**

In accordance with 40 C.F.R. §§22.7(b) and 22.16(c), for good cause shown, the time for Respondents to file an Answer is extended until the close of business on November 30, 2010. This extension is not objected to by EPA enforcement counsel.

Dated: November 2, 2010

  
\_\_\_\_\_  
Jill T. Metcalf  
Acting Regional Judicial Officer

In the Matter of Montreal, Maine & Atlantic Railway, LTD  
Docket No. CWA-01-2010-0048

**CERTIFICATE OF SERVICE**

I certify that on this 2<sup>nd</sup> day of November, 2010 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.

11/2/10  
Date

Wanda I. Santiago  
Wanda I. Santiago  
Regional Hearing Clerk  
U.S. EPA Region I  
5 Post Office Square, Suite 100  
Mail Code ORA 18-1  
Boston, MA 02109-3912

**Counsel for Respondent:**

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