

# Rudman&Winchell

COUNSELORS AT LAW

ABRAHAM M. RUDMAN (1896-1970)

ALBERT H. WINCHELL, JR. (1924-1992)

Phillip D. Buckley  
207.992.2300  
pbuckley@rudman-winchell.com

December 21, 2010

RECEIVED  
DEC 23 2010  
EPA ORC  
Office of Regional Hearing Clerk

Ms. Wanda Santiago  
Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 1  
Mail Code ORA 18-1  
5 Post Office Square – Suite 100  
Boston, Massachusetts 02109-3912

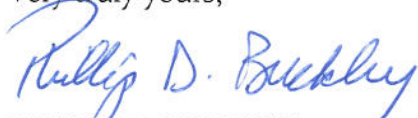
Re: In the Matter of Montreal, Maine & Atlantic Railway, Inc.  
CWA-01-2010-0048

Dear Ms. Santiago:

Enclosed is Respondent's Third Request for Extension of Time to Respond. Maximilian Boal, Enforcement Counsel, has indicated he has no objection to the granting of this request.

Thank you for your assistance.

Very truly yours,



PHILLIP D. BUCKLEY  
PDB/lml  
Enclosure

Cc: Maximilian Boal, Enforcement Counsel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I

IN THE MATTER OF: ] RESPONDENT'S THIRD  
] 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

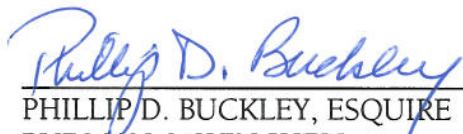
Respondent, Montreal, Maine & Atlantic Railway, Ltd. ("MMAR") requests that Respondent be given until February 2, 2011, to respond to the Complaint. The grounds for the request are that representatives of the Complainant agency and Respondent have been engaged in ongoing settlement discussions. Representatives of the Complainant agency have completed their review of documents provided by Respondent to counsel for the Complainant agency. Counsel for Respondent has just received the settlement offer from the EPA, and has not yet had an opportunity to evaluate the offer or discuss it with the client.

Negotiations between the parties are continuing.

The attorneys for the Complainant support the Respondent's request.

WHEREFORE, Respondent respectfully requests that the time within which to respond to the Complaint be extended to February 2, 2011.

Dated: December 21, 2010

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