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July 7, 2011

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Wanda A. Santiago
Regional Hearing Clerk
U.S. EPA, Region 1
4 Post Office Square – Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

Re: In the Matter of: Colin Wentworth
Docket No. TSCA-01-2011-0037

Dear Ms. Santiago:

Enclosed for filing for the above-referenced matter is a Second Consented-to Motion for Extension of Time and Certificate of Service.

Very truly yours,



David B. Van Slyke

DVS/jac
Enclosure

cc: William D. Chin, Esq. - EPA
Sigmund D. Schutz, Esq.
Colin Wentworth
Wayne R. Crandall, Esq.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

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In the Matter :)
)
Colin Wentworth)
6 Lake Avenue)
Rockland, Maine 04841)
)
Respondent.)
)
Proceedings under Section 16(a) of the)
Toxic Substances Control Act,)
42 U.S.C. § 2615(A).)

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DOCKET NO. HEARING CLERK
TSCA-01-2011-0037

**SECOND CONSENTED-TO
MOTION FOR EXTENSION
OF TIME**

Respondent Colin Wentworth, by and through undersigned counsel, moves for a thirty (30) day extension of time to file an Answer to the Complaint filed in the above-referenced matter pursuant to Rule 22.7 of the Consolidated Rules of Practice Governing the Administrative Assessment and Civil Penalties and the Revocation/Termination or Suspension of Permits (“CROP”).

Counsel for Respondent Wentworth has communicated with U.S. EPA Region 1 Enforcement Counsel William D. Chin on this matter; Attorney Chin does not oppose this motion requesting an additional thirty (30) day extension of time from the present deadline (July 11, 2011) to file an Answer. By way of further support for this motion, Respondent states as follows:

1. The Complaint was delivered to Respondent Wentworth on May 12, 2011. The Answer was initially due on June 11, 2011.

2. Due to the fact that Respondent Wentworth retained new counsel only days before the Answer was initially due, that such new counsel (the undersigned) had obtained substantial amounts of information necessary to formulate an Answer, and that Mr. Wentworth desired to explore resolution for this matter without a hearing or further process, an initial motion for extension of time was filed on behalf of Respondent Wentworth on May 31, 2011.

3. On June 6, 2011, Acting Regional Judicial Officer Jill T. Metcalf entered an Order Granting Extension of Time to File Answer in this matter, which Order extended the time to file such Answer to the close of business on July 11, 2011.

4. Following a request for a meeting with EPA by Respondent Wentworth, on June 13, 2011, Respondent Wentworth met with EPA to pursue informal settlement discussions.

5. As a result of that meeting, further information was agreed to be exchanged between the parties, including information on the Respondent's ability to pay.

6. Due to the vacation schedules of the undersigned, the Respondent's accountant and Respondent, the ability-to-pay information has not yet been forwarded to EPA. However, that information is now assembled and reviewed, and will be forwarded to EPA on or about July 8, 2011.

7. In order to have sufficient time for the parties to continue discussions towards settlement with an ability to pay component, Respondent Wentworth moves for an additional thirty day extension of time, to August 10, 2011 to file his Answer.


8. Counsel for U. S. EPA in this matter, William Chin, has indicated to counsel for Respondent that he does not object to this requested extension of time and does not oppose this motion.

WHEREFORE, Colin Wentworth respectfully requests that this tribunal extend the time allowed for answer to the Complaint by thirty (30) days. The new deadline for the filing of an Answer will be August 10, 2011.

DATED: July 7, 2011.

Respectfully Submitted,
COLIN WENTWORTH

By his Attorneys,
PRETI, FLAHERTY, BELIVEAU &
PACHIOS, LLP

By: 
David B. Van Slyke, Esq.
Sigmund D. Schutz, Esq.

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CERTIFICATE OF SERVICE

I, David B. Van Slyke, Attorney for Respondent Colin Wentworth, certify that I have, this date, mailed a copy of the Second Consented-to Motion for Extension of Time to the counsel listed below, by United States Mail, first-class, postage prepaid, addressed as follows:

William D. Chin
Enforcement Counsel
U.S. EPA, Region 1
5 Post Office Square – Suite 100
Mail Code: OES-04-4
Boston, MA 02109-3912

Dated: July 7, 2011



David B. Van Slyke
Attorney for Respondent Colin Wentworth

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