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Admitted in: CA ME NH

December 15, 2010

VIA ELECTRONIC and OVERNIGHT MAIL

Wanda I. Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code ORA18-1
Boston, MA 02109-3912

Re: In the Matter of Southern Maine Specialties, Inc.;
Docket No: RCRA-01-2010-0052

Dear Ms. Santiago:

Please find enclosed a copy of the Assented to Motion for Extension of Time to Answer, which was separately and simultaneously sent for filing via overnight mail to the Enforcement Counsel, Office of Environmental Stewardship.

Please call if you have any questions or concerns.

Very truly yours,

A handwritten signature in blue ink, appearing to be "Ken" followed by a stylized flourish.

Kenneth F. Gray

KFG:pmp
Enclosure

In the Matter of:)	
)	
SOUTHERN MAINE)	EPA DOCKET NO.
SPECIALTIES, INC.)	RCRA-01-2010-0052
64 Industrial Park Road)	
Saco, Maine 04072)	
)	
Respondent.)	ASSENTED TO
)	MOTION FOR EXTENSION
)	OF TIME TO ANSWER
EPA ID No. ME5000001271)	
)	
)	
Proceeding under Section 3008(a) of the)	
Resource Conservation and Recovery Act,)	
42 U.S.C. § 6928(a))	

1. Southern Maine Specialties, Inc. (“SMS” or the “Respondent”) received the Complaint in the above-captioned matter on September 22, 2010. In accord with 40 C.F.R. § 22.15(a), Respondent must file an Answer to said Complaint within 30 days after service of the Complaint, which date was October 22, 2010.

2. Respondent, joined by EPA, requested a thirty (30) day extension from October 22, 2010 to submit an Answer. EPA granted this request by Order of Jill T. Metcalf, Acting Regional Judicial Officer, dated October 18, 2010, extending the time for Respondent to file an Answer until November 22, 2010. An additional extension was requested, assented to by EPA, and granted, until Monday, December 20, 2010, in order to pursue settlement discussions.

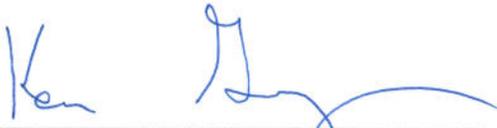
3. The Respondent requests a 21-day extension of time, until Monday, January 10, 2011. First, SMS and Respondent’s counsel have engaged in meaningful settlement discussions and reached a settlement in principle. Second, EPA Enforcement Counsel

advises that she is preparing the settlement documents and in the process of seeking approval of those documents. Settlement in this case will render filing an Answer and a hearing unnecessary.

4. Christine Foot, Enforcement Counsel for EPA in this matter, has consented to this Motion for Extension of Time.

5. This motion for an extension of time is timely filed, and is filed in advance of the due date, so as to allow the Regional Hearing Officer or his/her designate the reasonable opportunity to issue an order.

6. For these reasons, Respondent and EPA request the Regional Judicial Officer or his/her designate to order that the time to file an Answer to the Complaint is extended to January 10, 2011.



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December 15, 2010

Date

EPA DOCKET NO.
RCRA-01-2010-0052

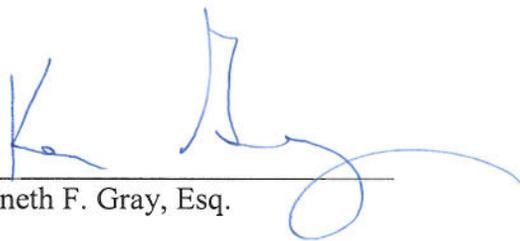
CERTIFICATE OF SERVICE

I hereby certify that the foregoing Assented to Motion for Extension of Time to Answer has been sent to the following person on the date noted below:

Copy via pdf electronic mail and overnight mail:

Christine Foot, Enforcement Counsel
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code ORA18-1
Boston, MA 02109-3912
Phone: 617-918-1333
Fax: 617-981-0333
Email: foot.christine@epa.gov

Dated: December 15, 2010



Kenneth F. Gray, Esq.