UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

IN THE MATTER OF PAN AM RAILWAYS, INC., SPRINGFIELD TERMINAL RAILWAYS CO. INC., AND MAINE CENTRAL RAILROAD COMPANY 55 College Avenue Waterville, Maine 04901 Respondent Proceedings under Section 309(g) and 311(b)(6) of the Clean Water Act, 33 U.S.C. §§ 1319(g), 1321(b)(6)	)	Docket No. CWA-01-2015-0004 RESPONDENT'S MOTION TO EXTEND TIME TO FILE AN ANSWER

RESPONDENT'S MOTION TO EXTEND TIME

BACKGROUND

Pan Am Railways, Inc., Springfield Terminal Railway Company and Maine Central Railroad Company, Respondent in this proceeding, respectfully requests that the Presiding Officer grant a sixty (60) day extension of time to answer or otherwise respond in the above captioned matter beyond the allotted thirty (30) days from the Effective Date of the Complaint. This Motion is brought pursuant to 40 C.F.R. § 22.7(b).

ARGUMENT

Respondent, through its counsel, met for an informal conference with Mr. Jeffrey Kopf, EPA Senior Enforcement Counsel in Region 1, on February 26, 2015. During this informal conference, both parties identified additional information that will be shared by both Respondent

and Complainant as discussions regarding settlement continue. Furthermore, on behalf of EPA Mr. Kopf assented to this motion.

A Motion for an Extension of Time to File an Answer may be granted upon the timely filing of such motion, a showing of good cause, and after consideration of prejudice to other parties to the action. 40 C.F.R. §§ 22.7(b); 22.16. This motion is timely and has been filed before the date for Respondent's Answer to the Complaint. This motion also satisfies the "good cause" requirement because granting this Motion will allow both Respondent and Complainant to identify and obtain the additional information both parties require in order to continue mutually acceptable settlement discussions. Lastly, granting this Motion will not result in prejudice to any other party to this action. As stated herein, both parties are currently involved in settlement discussions and the granting of this Motion will allow both parties more time to fully resolve this matter.

CONCLUSION

For the reasons set forth above, Respondent respectfully requests that the Presiding Officer grant Respondent's request for a sixty (60) day extension of time to answer or otherwise respond in the above captioned matter.

DATED: February 27, 2015

By: _____

Robert B. Culliford, Esq.
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General Counsel (authorized
representative of Respondent)
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing RESPONDENT'S MOTION TO EXTEND TIME was sent to the following persons on February 27, 2015:

Via e mail:

Ms. Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region 1 (ORA18-1)
5 Post Office Square, Suite 100
Boston, MA 02109

and

By First Class Mail, postage prepaid:

Mr. Jeffrey Kopf
Senior Enforcement Counsel
U.S. EPA, Region 1
5 Post Office Square, Suite 100 (OES04-4)
Boston, MA 02109

By: _____
Robert B. Culliford, Esq.
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