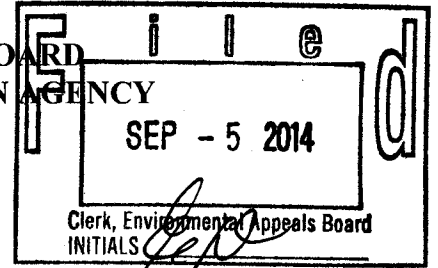


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC



In re:)
)
)

Chem-Solv, Inc, formerly trading as)
Chemicals and Solvents Inc., and)
Austin Holdings-VA, LLC)

Docket No. RCRA-03-2011-0068)
_____)

RCRA (3008) Appeal No. 14-02

ORDER GRANTING MOTION TO FILE SUR-REPLY

On August 8, 2014, Chem-Solv, Inc. and Austin Holdings-VA, LLC (collectively “Chem-Solv”) requested leave to file a reply brief to the response filed by U.S. EPA Region 3 (“Region”) on July 25, 2014, in the above-captioned matter. *See* Appellant’s Motion for Leave to File Reply Brief (“Motion”). The Environmental Appeals Board (“Board”) granted the Motion on August 12, 2014. *See* Order Granting Motion to File Reply Brief. By filing dated August 14, 2014, the Region opposed Chem-Solv’s Motion to file a reply. *See* Appellee’s Response in Opposition to Appellant’s Motion for Leave to File Reply Brief. In the alternative, the Region requested leave to file a sur-reply. *Id.* at 8. Upon consideration, the Region’s request to file a

sur-reply is granted. The Region's sur-reply must be filed with the Board no later than September 19, 2014, and may not exceed fifteen (15) double-spaced pages.

So ordered.

Dated: *September 5, 2014*

ENVIRONMENTAL APPEALS BOARD

By: *Katherine Steen for Catherine R. McCabe*
Catherine R. McCabe
Environmental Appeals Judge *McCabe*

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Granting Motion to File Sur-Reply in the matter of Chem-Solv, Inc., formerly trading as Chemicals and Solvents, Inc., and Austin Holdings-VA, LLC, RCRA (3008) Appeal No. 14-02, were sent to the following persons in the manner indicated:

By First Class Mail:

Charles L. Williams
J. Scott Sexton
Maxwell H. Wiegard
Abigail E. Murchison
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10 Franklin Road, SE, Suite 800
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By EPA Pouch Mail:

A.J. D'Angelo (3RC30)
Benjamin D. Fields
Joyce Howell
U.S. EPA, Region 3
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Philadelphia, PA 19103-2029

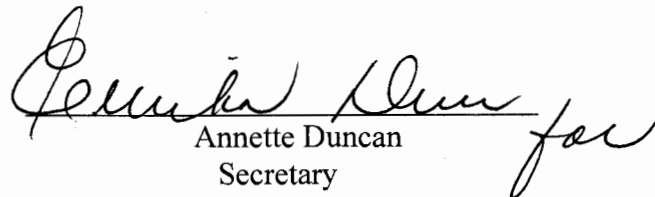
By Interoffice Mail:

Jennifer Lewis (MC-2366A)
OGC

Peter J. Raack (MC-2249A)
OECA

Dated:

9/5/2014


Annette Duncan
Secretary