

RECEIVED  
U.S. E.P.A.

2005 MAR 17 AM 11:35

# Fax Transmission

ENV. APPEALS BOARD

No. of pages incl. this one: 2

To: Clerk of the Board Environmental Appeals Board

Fax number: (202) 233-0121 Voice:

cc:

From: Raymond E. Kastendieck

Date: Thursday, March 17, 2005

If you do not receive all pages, please contact:

FRM Chem Inc. a.k.a. Industrial Specialties

/(636) 583-5218

Subject: *Motion for Denial*

*Special Instructions:*

RECEIVED  
U.S. E.P.A.



FOR THE FINEST IN CLEANERS AND SANITIZERS

P.O. BOX 207 • WASHINGTON, MO. 63090 • APPEALS BOARD

To: Clerk of the Board Environmental Appeals Board  
U.S. EPA

Date: March 17, 2005

Re: FRM Chem Inc., Docket No. FIFRA-07-2004-0041

MOTION FOR DENIAL OF EXTENSION OF TIME TO APPEAL BRIEF

Dear Sir or Madam;

FRM Chem Inc. a.k.a. Industrial Specialties (Respondent) alleges that EPA has spent an extraordinarily long time from the initial inspection to enforcement action and that this long period of EPA inaction represents an undue hardship on Respondents ability to conduct business. Respondent asks for a Denial of the Motion for Extension of Time to File Brief. In fact, in the Presiding Officer's Initial Decision he found that EPA, "some 3 plus years after its first inspection, and when nothing had changed in terms of the information it originally had before it, and where EPA's own people had to check with others in the chain of authority, that this violation warrants the maximum penalty represents some hubris on the Agency's part". Respondent respectfully requests a speedy conclusion of this case.

Sincerely

Raymond E. Kastendieck  
FRM Chem Inc. a.k.a. Industrial Specialties