

**HARRIS BEACH** PLLC  
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(212) 687-0100

**ANTOINETTE L. BANKS**

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ABANKS@HARRISBEACH.COM

November 8, 2013

*By Federal Express*

Regional Hearing Clerk  
United States Environmental Protection Agency, Region 2  
290 Broadway, 16th Floor  
New York, NY 10007-1866

Re: In the Matter of Amco Polymers, LLC and/or Ravago Manufacturing America,  
LLC and Ravago Manufacturing Americas  
Docket No. SDWA-02-2013-8902

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2013 NOV 12 P 1:17  
REGIONAL HEARING  
CLERK

Dear Sir/Madam:

Enclosed please find the notice of motion and supporting affidavit on behalf of the Respondent in the referenced matter seeking to enlarge the time in which Respondent answers or otherwise responds to the administrative complaint in this matter. Please be advised that counsel for the Environmental Protection Agency, Kara E. Murphy, has indicated she will not oppose the request to enlarge the time for Respondent to answer or otherwise respond to the complaint.

Please return a copy of the enclosed in the enclosed prepaid envelope addressed to my office with a stamp indicating that it has been filed with the Clerk as required under the applicable rules.

Sincerely,

*Antoinette L. Banks*

Antoinette L. Banks

ALB:jb  
Enclosures  
cc: Kara E. Murphy (w/enclosures)

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

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IN THE MATTER OF:

Docket No. SDWA-02-2013-8902

Amco Polymers, LLC and/or  
Ravago Manufacturing America, LLC  
595 Broadhollow Road  
Farmingdale, NY 11735

Ravago Manufacturing Americas  
1900 Summit Tower Boulevard, Suite 900  
Orlando, FL 32810

NOTICE OF MOTION  
TO ENLARGE THE TIME  
FOR RESPONDENT TO  
ANSWER OR OTHERWISE  
RESPOND TO THE  
ADMINISTRATIVE  
COMPLAINT

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.21  
2013 NOV 12 P 1:17  
REGIONAL HEARING  
CLERK

Respondents.

Proceeding pursuant to Section 309(g) of the  
Clean Water Act, 33 U.S.C. § 1319(g)

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MOTION BY:

Respondents

DATE, TIME AND PLACE OF HEARING:

November 27, 2013, or as soon after  
as the presiding judicial officer may  
hear and make a determination on  
this motion. No request for oral  
argument or hearing on this motion  
is made and Respondents request  
that the motion be decided without  
any such argument or hearing.

SUPPORTING PAPERS

Attached affidavit of Antoinette L.  
Banks, sworn to on November 12,  
2013, as counsel for Respondents.

RELIEF REQUESTED:

An Order from the presiding judicial  
officer in accordance with the  
Consolidated Rules of Practice 40  
Code of Federal Relations Part 22 et  
seq. granting the Respondents'  
request that its time to answer or


otherwise respond to the Administrative Complaint in this matter be extended up to and including February 14, 2014.

GROUNDINGS:

For the reasons set forth in the enclosed affidavit, including that the U.S. Environmental Protection Agency through its counsel, Kara E. Murphy, Esq., does not object to the request to enlarge the time for Respondents to answer or otherwise respond to the Administrative Complaint to allow Respondents an opportunity to resolve this matter in an amicable and expeditious manner.

Dated: New York, New York  
November 12, 2013

HARRIS BEACH PLLC

By:   
Antoinette Lyndon Banks  
*Attorneys for Respondents*  
100 Wall Street  
New York, New York 10005  
(212) 687-0100

TO: KARA E. MURPHY, ESQ.  
Water & General Law Branch  
Office of Regional Counsel  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
290 Broadway – 16<sup>th</sup> Floor  
New York, New York 10007-1866  
(212) 637-3231

HELEN S. FERRARA,  
Regional Judicial Officer (RJO)(see 40 CFR 22.16(c)),  
290 Broadway, 16th Floor,  
New York, NY 10007

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

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IN THE MATTER OF:

Docket No. SDWA-02-2013-8902

Amco Polymers, LLC and/or  
Ravago Manufacturing America, LLC  
595 Broadhollow Road  
Farmingdale, NY 11735

SUPPORTING AFFIDAVIT

Ravago Manufacturing Americas  
1900 Summit Tower Boulevard-Suite 900  
Orlando, FL 32810

Respondents.

Proceeding pursuant to Section 1423(c) of the  
Safe Drinking Water Act, 42 U.S.C. § 300h-2(c)

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STATE OF NEW YORK     )  
                                  )ss.:  
COUNTY OF NEW YORK    )

ANTOINETTE LYNDON BANKS, being duly sworn, deposes and says:

1. I am counsel for Respondents in this matter, and I submit this affidavit in support of the attached Notice of Motion seeking to extend the time by which Respondents shall answer or otherwise respond to the above-referenced Administrative Complaint.

2. The United States Environmental Protection Agency ("US EPA") and Respondents have been working over the past month towards potentially resolving the claims set forth in the above-referenced Administrative Complaint. Towards that goal,



Respondents have retained an environmental consultant who is in the process of conducting site inspections and preparing a proposed closure plan for the subject facility.

3. US EPA and Respondents have scheduled a meeting on December 3, 2013 to discuss the proposed plan and a potential resolution of this matter.

4. As indicated in the Notice of Motion, we have communicated with counsel for the US EPA, Kara E. Murphy, Esq., concerning the date by which the Respondents' answer or other response to the Administrative Complaint is due. In light of the on-going work being completed by Respondents, Ms. Murphy has agreed to extend further the time by which Respondents shall file, if necessary, its answer or otherwise respond to the Administrative Complaint up to and including February 14, 2014.

5. Respondents thus respectfully request that this motion be granted extending Respondents' time to answer or otherwise respond to the Administrative Complaint to February 14, 2014 in order to allow Respondents to work further with US EPA to resolve this matter by mutual agreement of the parties.

6. No further relief is requested by this application.

  
\_\_\_\_\_  
Antoinette Lyndon Banks

Sworn to before me this 8<sup>th</sup>  
day of November, 2013.

  
\_\_\_\_\_  
Notary Public

**DANIELA MARANDO**  
Notary Public, State of New York  
No. 01MA6237814  
Qualified in Kings County  
Commission Expires March 28, 2015

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK)

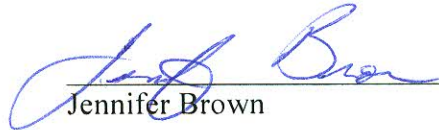
) ss:

COUNTY OF NEW YORK)

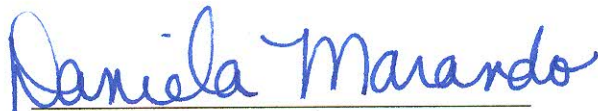
**Jennifer Brown**, being duly sworn, deposes and says that she is not a party to this action, is over the age of 18 years and resides in Queens County, New York. That on **November 8, 2013**, I served the within **NOTICE OF MOTION TO ENLARGE THE TIME FOR RESPONDENT TO ANSWER OR OTHERWISE RESPOND TO THE ADMINISTRATIVE COMPLAINT and SUPPORTING AFFIDAVIT** via OVERNIGHT FEDERAL EXPRESS mail upon the following:

KARA E. MURPHY, ESQ.  
Water & General Law Branch  
Office of Regional Counsel  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
290 Broadway – 16<sup>th</sup> Floor  
New York, New York 10007-1866  
(212) 637-3231

HELEN S. FERRARA,  
Regional Judicial Officer (RJO)(see 40 CFR 22.16(c)),  
290 Broadway, 16th Floor,  
New York, NY 10007

  
\_\_\_\_\_  
Jennifer Brown

Sworn to me to this  
8<sup>th</sup> day of November, 2013

  
\_\_\_\_\_  
Notary Public

**DANIELA MARANDO**  
Notary Public, State of New York  
No. 01MA6237814  
Qualified in Kings County  
Commission Expires March 28, 2015



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

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1900 Summit Tower Boulevard, Suite 900  
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Respondents.

Proceeding pursuant to Section 309(g) of the  
Clean Water Act, 33 U.S.C. § 1319(g)

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**NOTICE OF MOTION TO ENLARGE THE TIME FOR  
RESPONDENTS TO ANSWER OR OTHERWISE  
RESPOND TO THE ADMINISTRATIVE COMPLAINT  
AND SUPPORTING AFFIDAVIT**

**Harris Beach, PLLC**  
*Attorneys for Respondents*  
100 Wall Street-23<sup>rd</sup> Floor  
New York, NY 10005  
(212) 687-0100