



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

VIA UPS, Next Day Air  
and electronic mail

January 30, 2012

Hon. Barbara A. Gunning, A.L.J.  
EPA Office of Administrative Law Judges  
1099 14<sup>th</sup> Street, N.W.  
Suite 350 Franklin Court  
Washington, D.C. 20005

Re: IMO Chemsolv, Inc. and Austin Holdings-VA, L.L.C.  
EPA Docket No. RCRA-03-2011-0068

Dear Judge Gunning:

Enclosed please find Complainant's Motion to for an Extension of Time. Counsel for Respondents has consented to the relief requested in this motion. A proposed form of Order is enclosed.

Respectfully,

A handwritten signature in black ink, appearing to read "Joyce A. Howell".

Joyce A. Howell  
Sr. Assistant Regional Counsel

cc: Lydia Guy, Regional Hearing Clerk

Charles L. Williams, Esq.  
Max Wiegard, Esq.  
Gentry, Locke, Rakes & Moore  
800 Sun Trust Plaza  
10 Franklin Road  
Roanoke, VA 24011

**THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III**



In the Matter of: :  
: :  
CHEMSOLV, INC., formerly trading as :  
Chemicals and Solvents, Inc. :  
: :  
and :  
: :  
AUSTIN HOLDINGS-VA, L.L.C. :  
: :  
: :  
Respondents, :  
: :  
Chemsolv, Inc. :  
1111 Industry Avenue, S.E :  
1140 Industry Avenue, S.E :  
Roanoke, Virginia 24013 :  
: :  
Facility. :  
\_\_\_\_\_ :

COMPLAINANT'S MOTION FOR  
AN EXTENSION OF TIME

EPA Docket No. RCRA-03-2011-0068

Proceeding under Section 3008(a)  
of the Resource Conservation and  
Recovery Act, as amended, 42 U.S.C.  
Section 6928(a)

Complainant respectfully moves this Court, pursuant to 40 C.F.R. §§ 22.16(a) and the Court's Order dated November 16, 2011, for an Order delaying the commencement of the hearing in this matter for a period of six months, for the reasons set forth below. A form of Order is enclosed.

Complainant respectfully requests a delay in the commencement of the hearing in this matter for a period of sixth months on the following grounds:

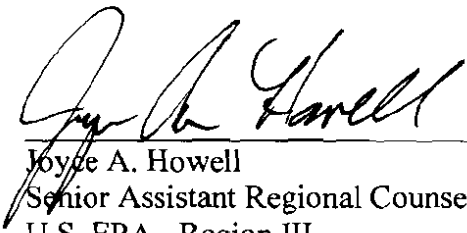
1. The undersigned counsel for Complainant is the primary caregiver of her mother.

2. The undersigned is the attorney in fact for her mother as designated by her mother's Power of Attorney.
3. The undersigned is the person designated as the Health Care Representative in her mother's durable power attorney for health care.
4. The undersigned is also designated as the executor of her mother's estate.
5. The undersigned's mother was admitted to hospice care on January 25, 2012.
6. The undersigned has taken up residence at her mother's home in order to provide her mother with all necessary care and support.
7. The undersigned has consulted with counsel for Respondents who has indicated Respondents' consent to this motion. Moreover, the parties have agreed to comply with the immediate pending deadline, February 3, 2012, set by the Court for the filing of non-dispositive motions and to complete the briefing for the same. The parties further request the Court to reschedule all other deadlines contained in the Court's November 16, 2011 Order relative to the requested six month extension.

Accordingly, the undersigned respectfully submits this motion for an Order delaying the commencement of the hearing in this matter for a period of six months.

Respectfully submitted,

Jan. 30, 2012  
Date

  
\_\_\_\_\_  
Joyce A. Howell  
Senior Assistant Regional Counsel  
U.S. EPA - Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

**THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III**



In the Matter of :  
:  
CHEMSOLV, INC., formerly trading as :  
Chemicals and Solvents, Inc. :  
:  
and :  
:  
AUSTIN HOLDINGS-VA, L.L.C. :  
:  
Respondents. :  
:  
Chemsolv, Inc. :  
1111 Industry Avenue, S.E. :  
1140 Industry Avenue, S.E. :  
Roanoke, Virginia 24013 :  
:  
Facility :  
\_\_\_\_\_ :

EPA Docket No. RCRA-03-2011-0068

Proceeding under Section 3008(a)  
of the Resource Conservation and  
Recovery Act, as amended, 42 U.S.C.  
Section 6928(a)

**CERTIFICATE OF SERVICE**

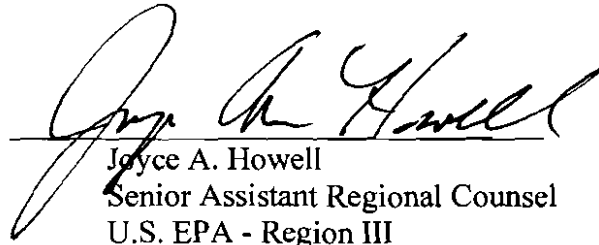
I certify that I sent by UPS, next day delivery and by email, a copy of Complainant's Motion to for an Extension of Time together with a proposed form of order to the addressees listed below. The original and one copy of the same were hand-delivered to the Regional Hearing Clerk, U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

Hon. Barbara A. Gunning, A.L.J.  
EPA Office of Administrative Law Judges  
1099 14<sup>th</sup> Street, N.W.  
Washington, D.C. 20005

Charles L. Williams, Esq.  
Gentry, Locke, Rakes & Moore  
800 Sun Trust Plaza  
Suite 350 Franklin Court  
10 Franklin Road  
Roanoke, VA 24011

Dated

Jan. 30, 2012



Joyce A. Howell

Senior Assistant Regional Counsel  
U.S. EPA - Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

**BEFORE THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III**

In the Matter of	:	
	:	
CHEMSOLV, INC., formerly trading as Chemicals and Solvents, Inc.	:	
	:	
and	:	
	:	
AUSTIN HOLDINGS-VA, L.L.C.	:	
	:	
Respondents.	:	
	:	EPA Docket No. RCRA-03-2011-0068
Chemsolv, Inc.	:	
1111 Industry Avenue, S.E.	:	
1140 Industry Avenue, S.E.	:	
Roanoke, Virginia 24013	:	
	:	Proceeding under Section 3008(a) of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. Section 6928(a)
Facility	:	
_____	:	

**ORDER RESCHEDULING THE HEARING DATE**

This matter having been opened to the Court upon Complainant's Motion to delay the commencement of the hearing in this matter for a period of six months, and Respondent having indicated its consent to the motion and the relief requested; and further,

The Court having considered the argument of counsel and for good cause shown, it is hereby:

ORDERED that the hearing in this matter will commence on \_\_\_\_\_. The Court will issue a Revised Scheduling Order forthwith.

SO ORDERED.

\_\_\_\_\_  
Hon. Barbara A. Gunning,  
Administrative Law Judge