

November 7, 2012

**BY ELECTRONIC AND U.S. MAIL**

Ms. Karen Maples, Regional Hearing Clerk  
Office of the Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 2  
290 Broadway, 16th Floor (1631)  
New York, New York 10007-1866

Re: *In the Matter of CWM Chemical Services, LLC*  
Docket No. EPCRA-02-2010-4206

Dear Ms. Maples:

Enclosed for filing is one original and one copy of Respondent's Motion to Continue Date for Filing Answer. Please note that the date for filing the answer is currently **November 16, 2012** and we are requesting a 30-day extension because the New York Regional Office has been closed since Hurricane Sandy hit New York City on October 29, 2012 and EPA's counsel has informed us that EPA may not be able to finalize a settlement in principle by November 16. EPA has assented to this request.

Thank you for your attention to this matter.

Very truly yours,



Marc J. Goldstein

Enclosures

cc: Helen S. Ferrara, Regional Judicial Officer (by electronic mail)  
Melva J. Hayden, Esq. (by electronic and U.S. mail)  
Gail Lynch, Esq. (by electronic mail)  
Francis Chin, Esq. (by electronic mail)  
Stephen M. Richmond, Esq. (by electronic mail)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

In the Matter of

**CWM CHEMICAL SERVICES, LLC,**

Respondent,

**Docket No. EPCRA-02-2010-4206**

Proceeding under Section 325(c)  
of Title III of the Superfund  
Amendments and Reauthorization Act.

**RESPONDENT'S MOTION TO CONTINUE DATE FOR FILING OF ANSWER**

The Respondent, CWM Chemical Services, LLC ("CWM"), moves the Regional Judicial Officer ("RJO") for an Order continuing the date for filing its answer from November 16, 2012 to December 17, 2012.

By orders dated October 27, 2010, November 24, 2010, January 18, 2011, February 14, 2011, April 8, 2011, June 6, 2011, August 3, 2011, October 7, 2011, January 10, 2012, March 20, 2012, May 16, 2012, July 24, 2012, September 7, 2012, and October 9, 2012, the RJO granted the requests of CWM for an extension of the time for CWM to file an answer in the above-captioned matter through November 16, 2012. During that time, CWM has engaged in constructive dialogue with EPA Region 2 staff and counsel. On April 15, 2012, EPA and CWM agreed to a settlement in principle and requested additional time to complete the settlement.

Counsel for EPA informed CWM's counsel that settlement paperwork had been completed and was in the process of being reviewed at EPA when Hurricane Sandy hit New York City and resulted in the closure of the New York Regional Office ("NYRO") since November 29, 2012. In light of the inability to access NYRO where the settlement paperwork is located, EPA's counsel has informed CWM's counsel that EPA may not be able to complete the

settlement by November 16, 2012 and has authorized CWM's counsel to seek an additional 30-day extension to CWM's deadline to answer.

CWM is therefore requesting an additional 30-day extension through December 17, 2012 in order to complete the settlement.

CWM CHEMICAL SERVICES, LLC  
By its attorneys,



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November 7, 2012

CERTIFICATE OF SERVICE

I hereby certify that I caused a true copy of the Respondent's Motion to Continue Date for Filing of Answer to be served by electronic and U.S. mail on November 7, 2012 to:

Melva J. Hayden, Esq.  
Assistant Regional Counsel  
Region 2 Title VI Coordinator  
Office of Regional Counsel  
Water & General Law Branch  
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