

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 10/15/09 PM 3:11

REGION 7  
901 NORTH 5<sup>th</sup> STREET  
KANSAS CITY, KANSAS 66101

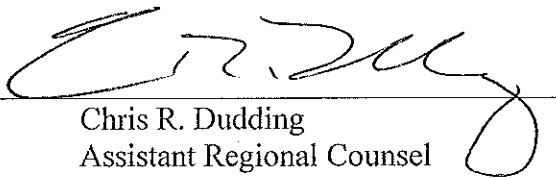
ENVIRONMENTAL PROTECTION  
AGENCY-REGION VII  
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF	)	Docket No. FIFRA-07-2009-0041
	)	
Synisys, Inc., FRM Chem, Inc.,	)	MOTION FOR DEFAULT
Keith G. Kastendieck, and Karlan C.	)	AS TO LIABILITY
Kastendieck	)	
	)	
	)	
Respondents	)	

Pursuant to 40 C.F.R. § 22.17, Region 7 of the United States Environmental Protection Agency (EPA) respectfully requests that the Presiding Officer (1) find the Respondent FRM Chem, Inc. in default for failure to file an answer in this matter and (2) find that the Respondent FRM Chem, Inc. is liable for the violations alleged in the First Amended Complaint filed in this matter. A memorandum in support of this motion is being filed with this motion.

Respectfully submitted,



Chris R. Dudding  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region 7  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101  
(913) 551-7524

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of Aug 2010, I hand-delivered the original and one true copy of this Motion to the Regional Hearing Clerk, and sent one true and correct copy:

via UPS, to:

*and supporting memorandum*  
*(CIT)*

Ronald E. Jenkins  
Jenkins & Kling, PC  
10 S. Brentwood Blvd., Ste. 200  
St. Louis, MO 63105

via First Class Mail to:


Keith Kastendieck  
P.O. Box 1656  
Washington, MO 63090

Karlan Kastendieck  
3636 Chervil Drive  
St. Charles, MO 63303

via UPS, to:

Judge Barbara Gunning  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
1099 14<sup>th</sup> Street, Suite 350  
Washington, D.C. 20005

Office of the Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
1099 14<sup>th</sup> Street, Suite 350  
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Signature of Sender