

# MINTZ LEVIN

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March 9, 2012

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## BY HAND

Wanda Santiago, Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100 (ORA18-1)  
Boston, MA 02109-3912

Re: In the Matter of: Durham School Services, Limited Partnership  
EPA Docket No. CAA-01-2011-0127

Dear Ms. Santiago:

Enclosed for filing in the above-referenced matter are the original and one copy of the Respondent's Answer.

Thank you for your assistance.

Sincerely,



Colin G. Van Dyke

Enclosures

cc: Timothy M. Conway, Esq. (EPA, Region 1)  
[Certified Mail Return Receipt]

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Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION I

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In the Matter of: )  
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)  
DURHAM SCHOOL SERVICES, )  
LIMITED PARTNERSHIP )  
4300 Weaver Parkway )  
Warrenville, Illinois 60555 )  
)  
Respondent )  
\_\_\_\_\_ )

Docket No. CAA-01-2011-0127

**RESPONDENT'S ANSWER**

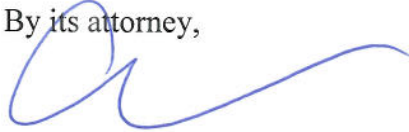
Pursuant to 40 C.F.R. §22.15, Durham School Services, Limited Partnership (“Respondent”) denies each of the allegations set forth on pages 3 through 8 of the administrative complaint filed by the United States Environmental Protection Agency, Region I (the “Complainant”) and received by Respondent on September 29, 2011 (the “Complaint”). Those allegations are more particularly identified in paragraphs 11, 12, 9, 10, 11, 12, 13, 14, 15, 16 and 17 [sic] of the Complaint. Furthermore, Respondent denies any potential liability for the penalties described in the “Proposed Civil Penalty” section of the Complaint.

Notwithstanding Respondent’s denial of the allegations set forth in the Complaint, Respondent states that the parties have been diligently negotiating the terms of a Consent Agreement and Final Order (“CAFO”) which they expect to execute in the near future. The CAFO would obviate the need for further litigation of this matter.

Respectfully submitted,

**DURHAM SCHOOL SERVICES, LIMITED  
PARTNERSHIP**

By its attorney,



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Colin G. Van Dyke, BBO# 665021  
Mintz, Levin, Cohn, Ferris, Glovsky and  
Popeo, P.C.

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March 9, 2012

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION I**

In the Matter of:	)	
	)	
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DURHAM SCHOOL SERVICES,	)	
LIMITED PARTNERSHIP	)	Docket No. CAA-01-2011-0127
4300 Weaver Parkway	)	
Warrenville, Illinois 60555	)	
	)	
Respondent	)	

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Respondent's Answer has been sent to the following persons on the date noted below:

Original and One Copy (Hand-Delivered):	Wanda I. Santiago, Regional Hearing Clerk U.S. Environmental Protection Agency, Region 1 5 Post Office Square, Suite 100 Mail Code ORA18-1 Boston, MA 02109-3912
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Copy (Certified Mail, Return Receipt Requested):	Timothy M. Conway, Senior Enforcement Counsel U.S. Environmental Protection Agency, Region 1 5 Post Office Square, Suite 100 Mail Code OESO4-3 Boston, MA 02109-3912 Phone: (617) 918-1705 Fax: (617) 918-0705
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