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* CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS A WORKERS' COMPENSATION LAW ATTORNEY
◻ RULE 1:40 QUALIFIED MEDIATOR
◻ ALSO MEMBER OF NY BAR
◻ ALSO MEMBER OF FLA BAR
◻ ALSO MEMBER OF PA BAR
◻ ALSO MEMBER OF RI BAR
◻ MEMBER OF NY AND D.C. BARS ONLY

October 26, 2012

VIA FEDERAL EXPRESS OVERNIGHT MAIL
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

RE: In the Matter of PZ Painting
Docket No.: TSCA-02-2012-9170

Dear Sir/Madam:

Please find enclosed an original and two copies of an Answer to Complaint And Request for a Formal & Informal Hearing along with our Certification of Mailing. I would request that you please mark on of the copies as "filed" and return it to us in the enclosed postage paid envelope.

Respectfully Submitted,

MICHAEL R. REITMAN
MRR/kac

cc: Mr. Stuart N. Keith of U.S. Environmental Protection Agency
(Regular Mail)

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2012 NOV -9 P 2:50
REGIONAL HEARING
CLERK

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Attorneys for the Respondent

IN THE MATTER OF PZ PAINTING

Respondent.

Proceeding under Section 16(a)
of the Toxic Substance Control
Act.

DOCKET NO. TSCA-02-2012-17

ANSWER TO COMPLAINT AND
REQUEST FOR A FORMAL
INFORMAL HEARING

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 NOV -9 P 2:57
REGIONAL HEARING
CLERK

Respondent, PZ PAINTING, LLC (improperly pled as PZ PAINTING), with its principal place of business at 15 Salter Street, Springfield, New Jersey, by way of Answers to the Complaint and herein says:

COMPLAINT

Paragraph 1., Respondent is in fact PZ Painting, LLC;

Paragraph 2. & 3., Admitted;

Paragraph 4. & 5., The Respondent does not have sufficient information to form a belief as to the allegations contained herein.;

Paragraph 6., 7., & 8., The Respondent was hired to paint the premises at 18 Church Mall Road, Springfield, New Jersey;

COUNT 1

Paragraph 9., Respondent repeats and reiterates each and every Answer as set forth in Paragraphs 1 through 8 in the Answer as if

set forth at length herein.

Paragraph 10. & 11., All work done at 18 Church Mall Road was done by Geiner Fernandez who is certified under Certificate Number R-I-18499-10-25651.

Paragraph 12., The Firm obtained EPA Certification. The contractor PZ Painting, LLC obtained Certification on June 26, 2012 as a result of an application being made on June 8, 2012.

Paragraph 13., The Firm obtained EPA Certification. The contractor PZ Painting, LLC obtained Certification on June 26, 2012 as a result of an application being made on June 8, 2012.

COUNT 2

Paragraph 14., Respondent repeats and reiterates each and every Answer as if set forth in Paragraphs 1 through 13 in the Answer as set forth at length herein. The Firm obtained EPA Certification. The contractor PZ Painting, LLC obtained Certification on June 26, 2012 as a result of an application being made on June 8, 2012.

Paragraph 15., 16., 17. & 18., A pamphlet was provided to the occupants of the premises on June 4, 2012 and to the owner of the premises on June 7, 2012 before the beginning of painting.

DISMISSAL

WHEREFORE, Respondent, PZ PAINTING, LLC (improperly pled as PZ PAINTING), hereby demands:

A) Dismissal of the Complaint, Count 1 and Count 2;

B) Denial of request for civil penalties; or
C) Waiver and or substantial reduction of requested civil penalties.

REQUEST FOR FORMAL HEARING

The respondent hereby request a formal hearing.

REQUEST FOR INFORMAL HEARING

The respondent hereby request an informal hearing.

TOBIN, REITMAN, GREENSTEIN,
CARUSO, WIENER, KONRAY &
KESSLER

DATE: October 26, 2012

BY: 

MICHAEL R. REITMAN, ESQUIRE
ATTORNEY FOR RESPONDENT

In the Matter of PZ Painting
Docket No.: TSCA-02-2012-9170

CERTIFICATE OF SERVICE

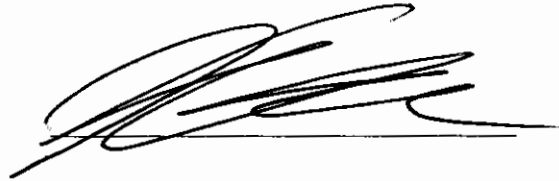
This is to certify that I have this day caused to be mailed a copy of the foregoing Answer To Complaint And Request for a Formal & Informal Hearing bearing docket number TSCA-02-2012-9170 by FEDERAL EXPRESS OVERNIGHT MAIL, to:

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

and regular mail to:

Mr. Stuart N. Keith
U.S. Environmental Protection Agency
Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Dated: October 26, 2012

A handwritten signature in black ink, appearing to be the name of the sender, written over a horizontal line.