

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of:

FDD, Inc.,
5261 Route 9W
Newburgh, NY 12550

Respondent

In a proceeding under Section 1423(c) of the Safe
Drinking Water Act, 42 U.S.C. § 300h-2(c)

Docket No. SDWA-02-2014-8902

REPORT OF STATUS CONFERENCE AND ORDER

The status teleconference in this matter was held on August 20, 2015. Participating were:

Presiding Officer:	Helen S. Ferrara
Respondent's Attorney:	Edward Carroll
Complainant:	Phyllis Feinmark, Chief, Water and General Law Branch
	Nicole Foley Kraft, Chief, Ground Water Compliance Section
	Frank Brock, Lead Environmental Scientist, Water Compliance Section

Introduction: The Presiding Officer requested that the parties' attorneys provide a general update on efforts to resolve this matter.

Status: Ms. Feinmark explained that the well closure had been completed and approved by EPA, and that, after considering Respondent's inability to pay, the Complainant offered to settle this matter for a reduced penalty. The Respondent accepted the offer, and a Consent Agreement/Final Order (CA/FO) was being finalized as of the date of the status teleconference, and was to be mailed out to Respondent's attorney immediately. Mr. Carroll stated that he will meet with his client, Frank Felicello, to procure his signature as soon as possible, and the CA/FO is expected to be fully executed and filed within a few weeks.

IT IS ORDERED:

If the CA/FO is not filed by October 15, 2015, the Undersigned directs the parties to file a Joint Status Report by that date.

Dated: September 24, 2015



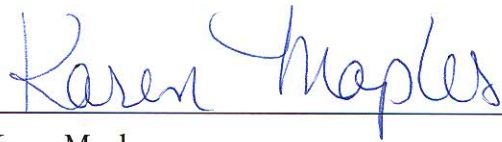
Helen S. Ferrara
Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that the **Report of Status Conference and Order** by Regional Judicial Officer Helen Ferrara in the matter of **FDD, Inc., Docket No. SDWA-02-2014-8902**, was served on the parties as indicated below:

First Class Mail - Edward J. Carroll
2733 Route 209
Kingston, New York 12401

Inter Office Mail: Phyllis Feinmark, Esq.
Kara Murphy, Esq.
Assistant Regional Counsel
USEPA - Region II
290 Broadway, 16th Floor
New York, New York 10007-1866



Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: September 25, 2015