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July 22, 2010

5789

Regional Hearing Clerk (3RC00)  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

## Re: Answer to Administrative Complaint

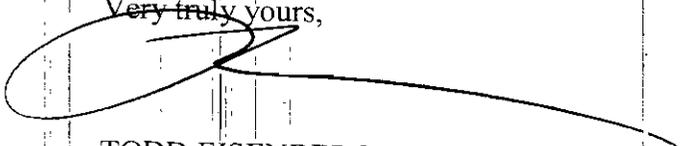
Dear Sir/Madam:

Enclosed please find an original and three (3) copies of Respondent, Borough of Norristown's, Answer to Administrative Complaint, which I am filing on their behalf.

Please file this document, time-stamp the copies and return the copies to me in the self-addressed, stamped envelope which I have provided.

If you have any questions, please feel free to contact me.

Very truly yours,

  
TODD EISENBERG

TE/kmm  
Enclosure  
Cc: Rodney Travis Carter, Esquire  
David Forrest



7. Denied as a conclusion of law to which no answer is required.
8. Denied.
9. Denied. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment. Therefore, strict proof thereof is demanded at trial herein.
10. Denied. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment. Therefore, strict proof thereof is demanded at trial herein.
11. Denied as a conclusion of law to which no answer is required.
12. Denied as a conclusion of law to which no answer is required.
13. Denied as a conclusion of law to which no answer is required.

**COUNT I**

**(Failure to Mark PCB Transformer)**

14. Respondent's answers set forth above are incorporated herein by reference as though fully set forth at length.
15. Denied as a conclusion of law to which no answer is required.
16. Denied as a conclusion of law to which no answer is required.
17. Denied as a conclusion of law to which no answer is required.
18. Denied as a conclusion of law to which no answer is required.

**COUNT II**

**(Failure to Mark PCB Transformer Means of Access)**

19. Respondent's answers set forth above are incorporated herein by reference as though fully set forth at length.
20. Denied as a conclusion of law to which no answer is required.
21. Denied as a conclusion of law to which no answer is required.

22. Denied as a conclusion of law to which no answer is required.
23. Denied as a conclusion of law to which no answer is required.
24. Denied as a conclusion of law to which no answer is required.
25. Denied as a conclusion of law to which no answer is required.

**COUNT III**

**(Combustible Materials Storage)**

26. Respondent's answers set forth above are incorporated herein by reference as though fully set forth at length.
27. Denied as a conclusion of law to which no answer is required.
28. Denied. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment. Therefore, strict proof thereof is demanded at trial herein.
29. Denied as a conclusion of law to which no answer is required.

**COUNT IV - XV**

**(Failure to Prepare and Maintain PCB Transformer Quarterly Inspection Reports)**

30. Respondent's answers set forth above are incorporated herein by reference as though fully set forth at length.
31. Denied as a conclusion of law to which no answer is required.
32. Denied as a conclusion of law to which no answer is required.
33. Denied. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment. Therefore, strict proof thereof is demanded at trial herein.
34. Denied as a conclusion of law to which no answer is required.

**COUNT XVI - XVIII**

**(Failure to Develop and Maintain Annual Document Logs)**

35. Respondent's answers set forth above are incorporated herein by reference as though fully set forth at length.

36. Denied as a conclusion of law to which no answer is required.

37. Denied. Respondent is without knowledge or information sufficient to form a belief as to the truth of this averment. Therefore, strict proof thereof is demanded at trial herein.

38. Denied as a conclusion of law to which no answer is required.

**REQUEST FOR HEARING AND SETTLEMENT CONFERENCE**

39. Respondent's answers set forth above are incorporated herein by reference as though fully set forth at length.

40. Respondent hereby requests a hearing before an EPA Administrative Law Judge.

41. Respondent hereby requests a settlement conference.

Respectfully submitted,

FRIEDMAN, SCHUMAN, APPLEBAUM  
NEMEROFF AND MCCAFFERY, P.C.

By: 

Todd Eisenberg, Esquire  
Solicitor to Respondent

Dated: July 21, 2010