



September 13, 2011

A. Solomon Menter  
1910-1978

Peter L. Hubbard

J. Scott Finlay

Antonio E. Caruso

Jeffrey A. Dove

F. Paul Vellano, Jr.

Mitchell J. Katz

Kevin M. Newman

Addison F. Vars III

Marcy Robinson Dembs\*

James H. McGowan

Thomas J. Fucillo

Vic J. Kopnitsky, Jr.

Joseph W. Russell

Julian B. Modesti

Robert G. Bennett

Josephine Yang-Patyi

John P. Sidd

Jennifer K. Frank

Teresa M. Bennett

Douglas P. Needham

Michael J. Balestra

Adam F. Kinney

Anthony A. Marrone II

Via Overnight Mail

Ms. Karen Maples

Regional Hearing Clerk

U.S. Environmental Protection Agency, Region II

290 Broadway, 16<sup>th</sup> Floor

New York, New York 10007-1866

Re: In the Matter of Schmitt Sales, Inc.  
Docket No. RCRA-02-2011-7508

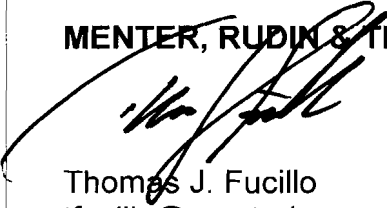
Dear Ms. Maples:

This firm represents Schmitt Sales, Inc. ("Schmitt"), Respondent in the referenced proceeding.

Attached for your records is a copy of an email I sent to the Office of Administrative Law Judges accepting the invitation to take part in Alternative Dispute Resolution.

Sincerely,

**MENTER, RUDIN & TRIVELPIECE, P.C.**

  
Thomas J. Fucillo  
tfucillo@menterlaw.com

TJF/klc

\*also admitted  
in Florida

U.S. ENVIRONMENTAL  
PROTECTION AGENCY  
2011 SEP 14 PM 12:20  
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CLERK  
CLERK

## Thomas Fucillo

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**From:** Thomas Fucillo  
**Sent:** Tuesday, September 13, 2011 3:20 PM  
**To:** 'whiting-beale.maria@epa.gov'  
**Cc:** Terry Mahon (tmahon@schmittsales.com)  
**Subject:** Alternative Dispute Resolution

**Importance:** High

Dear Ms. Whiting-Beale,

This firm represents Schmitt Sales, Inc., EPA Docket No. RCRA-02-2011-7508.

This is to advise you that Schmitt Sales accepts the offer to participate in ADR by mediation.

I would appreciate a return email confirming that you received this notice.

Sincerely,

Thomas J. Fucillo

cc (By Overnight Mail): Regional Hearing Clerk



Thomas J. Fucillo  
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