

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 July 15, 2014. Participating were:

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|------------------------|--|
| Presiding Officer: | Helen S. Ferrara |
| Respondent's Attorney: | Edward Carroll |
| Complainant: | Kara Murphy, Attorney Nicole Foley Kraft, Chief, Ground Water Compliance Section |

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

Status: Mr. Carroll stated that his client wants to close down the drain ("injection well") at his station. His client has met with an engineer who has opened up the well and inspected it. Mr. Carroll said the engineer will begin preparing a letter setting forth the Respondent's plan for the closure of the drain. Once the engineer and the Respondent have drafted a letter, Mr. Carroll will review it and forward it to EPA for approval. He hopes to have a letter ready for EPA's review within a few days.

Ms. Murphy said that her client is waiting for the letter, and that both parties agree that the injection well should be closed. However, she also stated that the parties need to discuss the penalty component of any settlement.

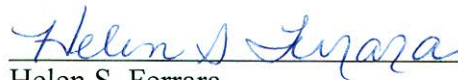
The parties agreed that the closure plan should be approved within 30 days and that they would meet or speak by then to discuss the penalty. Both parties seemed very interested in settling this matter.

The parties agreed that it was in the best interest of all parties to schedule a follow up status teleconference to inform the Undersigned of their progress in resolving this matter.

IT IS ORDERED:

A status teleconference is scheduled for Thursday, August 14, 2014 at 10:00AM.

Dated: July 16, 2014



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 -

Kara Murphy, Esq.
Office of Regional Counsel
USEPA - Region II
290 Broadway, 16th Floor
New York, New York 10007-1866



Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: July 16, 2014