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BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

JOSEPH OH  
and HOLLY INVESTMENT, LLC

Respondents

Proceeding under Section 9006(a) of the  
Resource Conservation and Recovery Act, 42  
U.S.C. § 6991e(a)

Docket No. RCRA-10-2011-0164

**JOSEPH OH ANSWER AND  
AFFIRMATIVE DEFENSES TO EPA  
COMPLAINT**

**COMES NOW** Joseph Oh in answering the Complaint.

In answering Paragraph 1.1 Joseph Oh lacks sufficient knowledge or information to form a belief and therefore denies the same.

In answering Paragraph 1.2 Joseph Oh lacks sufficient knowledge or information to form a belief as to the truth of the statements and therefore denies the same.

In answering Paragraph 1.3 Joseph Oh lacks sufficient knowledge or information to form a belief as to the truth of the statements and therefore denies the same.

1 In answering Paragraph 1.4 Joseph Oh lacks sufficient knowledge or information to  
2 form a belief as to the truth of the statements and therefore denies the same.

3 In answering Paragraph 1.5 Joseph Oh lacks sufficient knowledge or information to  
4 form a belief as to the truth of the statements and therefore denies the same.

5 In answering Paragraph 1.6 Joseph Oh lacks sufficient knowledge or information to  
6 form a belief as to the truth of the statements and therefore denies the same.

7 In answering Paragraph 1.7 Joseph Oh lacks sufficient knowledge or information to  
8 form a belief as to the truth of the statements and therefore denies the same.

9 In answering Paragraph 2.1 Joseph Oh deny.

10 In answering Paragraph 2.2 Joseph Oh lacks sufficient knowledge or information to  
11 form a belief as to the truth of the statements and therefore denies the same.

12 In answering Paragraph 2.3 Joseph Oh lacks sufficient knowledge or information to  
13 form a belief as to the truth of the statements and therefore denies the same.

14 In answering Paragraph 2.4 Joseph Oh lacks sufficient knowledge or information to  
15 form a belief as to the truth of the statements and therefore denies the same.

16 In answering Paragraph 2.5 Joseph Oh lacks sufficient knowledge or information to  
17 form a belief as to the truth of the statements and therefore denies the same.

18 In answering Paragraph 2.6 Joseph Oh lacks sufficient knowledge or information to  
19 form a belief as to the truth of the statements and therefore denies the same.

20 In answering Paragraph 2.7 Joseph Oh lacks sufficient knowledge or information to  
21 form a belief as to the truth of the statements and therefore denies the same.

22 In answering Paragraph 2.8 Joseph Oh lacks sufficient knowledge or information to  
23 form a belief as to the truth of the statements and therefore denies the same.

1 In answering Paragraph 2.9 Joseph Oh lacks sufficient knowledge or information to  
2 form a belief as to the truth of the statements and therefore denies the same.

3 In answering Paragraph 2.10 Joseph Oh lacks sufficient knowledge or information to  
4 form a belief as to the truth of the statements and therefore denies the same.

5 In answering Paragraph 2.11 Joseph Oh lacks sufficient knowledge or information to  
6 form a belief as to the truth of the statements and therefore denies the same.

7 In answering Paragraph 2.12 Joseph Oh lacks sufficient knowledge or information to  
8 form a belief as to the truth of the statements and therefore denies the same.

9 In answering Paragraph 2.13 Joseph Oh lacks sufficient knowledge or information to  
10 form a belief as to the truth of the statements and therefore denies the same.

11 In answering Paragraph 2.14 Joseph Oh lacks sufficient knowledge or information to  
12 form a belief as to the truth of the statements and therefore denies the same.

13 In answering Paragraph 2.15 Joseph Oh lacks sufficient knowledge or information to  
14 form a belief as to the truth of the statements and therefore denies the same.

15 In answering Paragraph 2.16 Joseph Oh lacks sufficient knowledge or information to  
16 form a belief as to the truth of the statements and therefore denies the same.

17 In answering Paragraph 2.17 Joseph Oh lacks sufficient knowledge or information to  
18 form a belief as to the truth of the statements and therefore denies the same.

19 In answering Paragraph 2.18 Joseph Oh lacks sufficient knowledge or information to  
20 form a belief as to the truth of the statements and therefore denies the same.

21 In answering Paragraph 2.19 Joseph Oh lacks sufficient knowledge or information to  
22 form a belief as to the truth of the statements and therefore denies the same.

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1 In answering Paragraph 2.20 Joseph Oh lacks sufficient knowledge or information to  
2 form a belief as to the truth of the statements and therefore denies the same.

3 In answering Paragraph 2.21 Joseph Oh lacks sufficient knowledge or information to  
4 form a belief as to the truth of the statements and therefore denies the same.

5 In answering Paragraph 2.22 Joseph Oh lacks sufficient knowledge or information to  
6 form a belief as to the truth of the statements and therefore denies the same.

7 In answering Paragraph 2.23 Joseph Oh lacks sufficient knowledge or information to  
8 form a belief as to the truth of the statements and therefore denies the same.

9 In answering Paragraph 2.24 Joseph Oh lacks sufficient knowledge or information to  
10 form a belief as to the truth of the statements and therefore denies the same.

11 In answering Paragraph 2.25 Joseph Oh lacks sufficient knowledge or information to  
12 form a belief as to the truth of the statements and therefore denies the same.

13 In answering Paragraph 2.26 Joseph Oh lacks sufficient knowledge or information to  
14 form a belief as to the truth of the statements and therefore denies the same.

15 In answering Paragraph 3.1 Joseph Oh lacks sufficient knowledge or information to  
16 form a belief as to the truth of the statements and therefore denies the same.

17 In answering Paragraph 3.2 Joseph Oh lacks sufficient knowledge or information to  
18 form a belief as to the truth of the statements and therefore denies the same.

19 In answering Paragraph 3.3 Joseph Oh lacks sufficient knowledge or information to  
20 form a belief as to the truth of the statements and therefore denies the same.

21 In answering Paragraph 3.4 Joseph Oh lacks sufficient knowledge or information to  
22 form a belief as to the truth of the statements and therefore denies the same.

1 In answering Paragraph 3.5 Joseph Oh lacks sufficient knowledge or information to  
2 form a belief as to the truth of the statements and therefore denies the same.

3 In answering Paragraph 3.6 Joseph Oh lacks sufficient knowledge or information to  
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15 In answering Paragraph 3.12 Joseph Oh lacks sufficient knowledge or information to  
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19 In answering Paragraph 3.14 Joseph Oh lacks sufficient knowledge or information to  
20 form a belief as to the truth of the statements and therefore denies the same.

21 In answering Paragraph 3.15 Joseph Oh lacks sufficient knowledge or information to  
22 form a belief as to the truth of the statements and therefore denies the same.

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1 In answering Paragraph 3.16 Joseph Oh lacks sufficient knowledge or information to  
2 form a belief as to the truth of the statements and therefore denies the same.

3 In answering Paragraph IV Compliance Order 4.1 through 4.7, Joseph Oh cannot admit  
4 or deny as the order is not final and therefore deny the same.

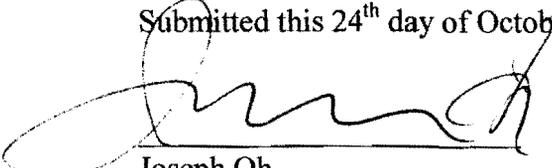
5 In answering Paragraph 5.1 Joseph Oh requests a hearing pursuant to 9006(b) of  
6 R.C.R.A 42 U.S.C. § 6991 (e)(b) and 40 C.F.R. § 22.15.

7  
8 If Joseph Oh has failed to adequately respond to any of the allegations he does so now,  
9 by denial all allegations are denied and respondent Joseph Oh makes no admissions.

10 Joseph Oh reserves the right to amend or change his response as more information  
11 becomes available by discovery.

12 Joseph Oh denies EPA is entitled to any relief or damages against Respondent.

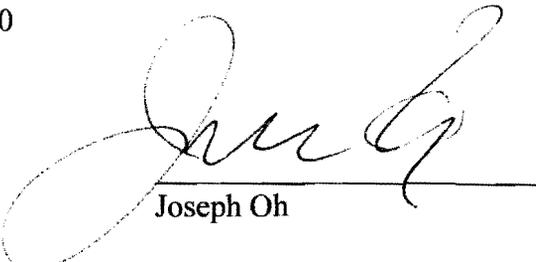
13 Submitted this 24<sup>th</sup> day of October 2011

14  
15  
16   
17 Joseph Oh

18 Proof of Service:

19 Joseph Oh declares as follows on October 24, 2011 I personally mailed Response to  
20 Complaint RCRA-10-2011-0164 by depositing in the US mail postal box and also by mailing  
21 US priority mail with signature confirmation to:  
22

23 Carol Kennedy, Regional Hearing Clerk  
24 US Environmental Protection Agency  
25 Region 10  
26 1200 Sixth Ave, Suite 900  
27 Mail Stop: ORC-158  
28 Seattle, WA 98101  
[Kennedy.carol@epa.gov](mailto:Kennedy.carol@epa.gov)

29   
30 Joseph Oh

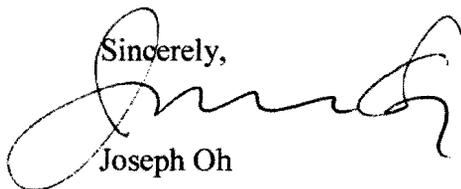
United States Environmental Protection Agency  
Region 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

October 24, 2011

EPA Docket No. RCRA 10-2011-0164

Pursuant to C.F.R. § 22.15 Joseph Oh FBO Holly Investments LLC requests a settlement conference. Please contact me at my home address 4905 70<sup>th</sup> Ave West University Place, WA 98467.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Oh", written over the word "Sincerely,".

Joseph Oh

CC: Greg Tift [ipwcci@mail.lawguru.com](mailto:ipwcci@mail.lawguru.com)