



Town of
Brookhaven
Long Island

Kathleen A. Walsh, Acting Supervisor

October 3, 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED AND
ELECTRONIC MAIL (Maples.Karen@epa.gov)

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 OCT 10 P 12:29
REGIONAL HEARING
CLERK

Ms. Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, New York 10007-1866

Re: *Town of Brookhaven – Docket No. CWA-02-2012-3313*

Dear Ms. Maples:

The Town of Brookhaven (“Town”) received the U.S. Environmental Protection Agency’s September 7, 2012 correspondence and attached Administrative Complaint, Findings of Violation, Notice of Proposed Assessment of an Administrative Penalty, and Notice of Opportunity to Request a Hearing (the “Complaint”) on September 14, 2012.

The purpose of this letter is to request an extension of time to answer the Complaint. The Town respectfully requests a 60-day extension of time, until December 13, 2012, to serve an answer to the Complaint. The Town is hopeful that the parties can reach an agreeable settlement during this time period.

In furtherance of the possibility of settlement, the Town also requests an in-person informal conference concerning this matter. At such a conference, the Town would like to discuss the allegations of the Complaint, the Town’s efforts to comply with the Agency’s Administrative Order that was issued on September 16, 2011, and the possibility of completing a supplemental environmental project as a component of an overall settlement. Representatives of the Town are available to meet on October 16, 22 or 26. Please advise if any of these dates are acceptable.

Please note that I recently spoke with Kimberly McEathron of the Agency regarding this matter, and accordingly, I have copied Ms. McEathron on this letter request. I have also copied Kimberly Kramer, Esq. so she is aware of the Town’s request.

Planning, Environment and Land Management
Tullio Bertoli, AICP, Commissioner

Brenda Prusinowski, AICP, Chief Deputy Commissioner

One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6400 • Fax (631) 451-6419
www.brookhaven.org

Ms. Karen Maples
October 3, 2012
Page 2

Thank you for your time and consideration, and please call if you have questions.

Sincerely,



Anthony Graves
Chief Environmental Analyst

cc: Joseph DiMura, P.E.
NYSDEC
Division of Water
Bureau of Water Compliance
625 Broadway
Albany, NY 12233

Sara H. Dorman
Environmental Program Specialist
NYSDEC, Region 1
Division of Water
50 Circle Road
Stony Brook, NY 11790-3409

Kimberly McEathron
USEPA, Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866

Kim Kramer, Esq.
USEPA, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Matt Miner (Town of Brookhaven)
Robert Quinlan, Esq. (Town of Brookhaven)
Mary Porter, Esq. (Town of Brookhaven)
Michael Murphy (Town of Brookhaven)
Jeff Kassner (Town of Brookhaven)
Robert Tyson, Esq. (Bond, Schoeneck & King)