

RECEIVED

April 14, 2012

2012 APR 19 PM 3: 15

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

Clarence Hazel
2807 Landon Drive
Wilmington, DE 19810

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

RE: CLARENCE HAZEL DOCKET NO. TSCA-03-2012-0015

This document is my answer to the "Administrative Complaint and Notice of Opportunity for Hearing...Docket No. TRSCA-03-2012-0015" (Complaint) completed and sent within 30 days of my receipt of the Complaint on or about March 19, 2012.

I prepared it after I called Mr. Gregory J. Smith the attorney assigned to this case, as was suggested in the Complaint, and after I was called by Benjamin Cohan who identified himself as Mr Smith's replacement as the attorney for EPA on this matter. Mr. Smith indicated he was being replaced and said I should expect a call from Mr Cohan. I received no written confirmation of the change in attorney but accepted advice from Mr. Cohan that I should use "Part 22.16 Answer to the Complaint" (Rules), and have done so, in preparing my answer.

The Rules and Mr. Cohan indicated that I need respond only to the "Findings of Fact and Conclusions of Law" that make up part III of the Complaint. I identified these as items #11 - 27 starting on page 3 and ending on page 7 of the Complaint.

My response to each item is as listed item by item below.

Item #11: I do not contest.

Item #12: I contest.

Item #13: I contest.

Item #14: I contest.

Item #15: I contest.

Item #16: I contest.

Item #17: I do not contest.

Item #18: I contest.

Regional Hearing Clerk, EPA Region III, Docket NO. TSCA-03-2012-0015
April 14, 2012, Page 2 of 2

Item #19: I contest.

Item #20: I contest.

Item #21: I do not contest.

Item #22: I contest.

Item #23: I contest.

Item #24: I contest.

Item #25: I contest.

Item #26: I contest.

Item #27: I contest.

With regard to 1) a Settlement Conference and 2) a Hearing, I request that my rights to either or both be preserved by this answer.

If this answer seems less than fully responsive, consider that I have become distrustful of the agency after a year of working to bring this situation to a reasonable resolution. From here on I will proceed very cautiously. To date I have been cooperative, communicative and forthcoming with information, time, a proposed settlement, and a willingness to finish this matter reasonably. The EPA has not. I fear the EPA's \$8-Billion-a-year bureaucracy has an inflexible, one-size-fits-all mentality. I believe that a continued "let's-get-this-resolved" attitude on my part will only bring this matter closer to an railroaded adjudication by EPA's bureaucracy.

Sincerely,



Clarence Hazel

Cc: Mr Benjamin Cohan (3RC50), Office of Regional Counsel, EPA Region III, 1650 Arch St., Phila., PA, 19103-2029

C:\corres2012\Rentals\EPA\AnswerEpaMarch15Complaint.docx