



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

NOV 20 2009

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

LR-8J

Elite Enterprises Inc.  
c/o Mr. Randall Geist  
Registered Agent and President  
2715 Cliffwood Lane  
Fort Wayne, Indiana 46825

RECEIVED

NOV 24 2009

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

Re: Administrative Complaints and Compliance Orders and Prehearing Orders  
Elite Enterprises, Inc., Creative Liquid Coatings, Inc. and Randall Geist  
EPA Docket No.: RCRA-05-2009-0012, INR 000 109 322 (Suite 1284) and  
EPA Docket No.: RCRA-05-2009-0013, IND 985 102 607 (Suite 1158)

Dear Sir:

Enclosed please find two Administrative Complaints and Compliance Orders (Complaints) which specify the U.S. Environmental Protection Agency's determination of violations of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. § 6901 *et seq.*, at the sites located at 2701 South Coliseum Blvd., Suites 1158 and 1284, Fort Wayne, Indiana. EPA based its determination on its June 22, 2005, inspection of these facilities and its review of various files. The Complaints state the reasons for EPA's determination.

Copies of these Complaints were previously sent to Mr. Randall Geist as Registered Agent of Elite Enterprises, Inc., and Creative Liquid Coatings, Inc., as well as in his individual capacity. The Complaints provided the Respondents (Elite, Creative and Geist) with a Notice of Opportunity for Hearing. It also informed the Respondents that should they desire to contest the Complaints, they had to file a written request for a hearing with the Regional Hearing Clerk within thirty (30) days after service of the Complaints. The request for hearing was to be filed with: Regional Hearing Clerk (E-19J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. A copy of the request should be directed to Richard Clarizio, Office of Regional Counsel (C-14J), at the above address. Further, an answer to the Complaints was due within thirty (30) days after service of the Complaints.

On or about September 24, 2009, Respondents Creative and Geist filed an answer and request for hearing. On October 19, 2009, Administrative Law Judge Barbara Gunning was assigned to preside over the hearing requested by Respondents Creative and Geist. On October 22, 2009, Judge Gunning issued Prehearing Orders establishing, among other things, dates for the parties to provide information pursuant to Section 22.19 of the Consolidated Rules of Practice, 40 C.F.R. §22.19. Copies of the Prehearing Orders are enclosed.

To date, Elite Enterprises, Inc., has neither filed an answer nor a request for a hearing. This letter is to advise you that pursuant to Section 22.17(a) of the Consolidated Rules, 40 C.F.R. §22.17(a) Elite Enterprises may be found in default. A default constitutes an admission of all facts alleged in the Complaints and a waiver of Elite's right to contest such factual allegations. A default may also result in the ordering of the relief requested in the Complaints, 40 C.F.R. §22.17(c).

If you have any questions please contact Richard J. Clarizio, Associate Regional Counsel, U.S. Environmental Protection Agency, Office of Regional Counsel (C-14J), 77 West Jackson Boulevard, Chicago, Illinois 60604. Mr. Clarizio may also be reached at (312) 886-0559.

Sincerely,



Willie H. Harris, P.E.  
Chief, RCRA Branch  
Land and Chemicals Division

Enclosures

cc: Barbara A. Gunning  
Administrative Law Judge  
Richard J. Clarizio  
EPA, Region 5, ORC  
David L. Hatchett  
Hatchett & Hauck, LLP



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

NOV 20 2009

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

Elite Enterprises Inc.  
c/o Mr. Randall Geist  
Registered Agent and President  
2701 South Coliseum Boulevard Suite 1158  
Fort Wayne, Indiana 46803

RECEIVED  
NOV 24 2009

LR-8J

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY.

Re: Administrative Complaints and Compliance Orders and Prehearing Orders  
Elite Enterprises, Inc., Creative Liquid Coatings, Inc. and Randall Geist  
EPA Docket No.: RCRA-05-2009-0012, INR 000 109 322 (Suite 1284) and  
EPA Docket No.: RCRA-05-2009-0013, IND 985 102 607 (Suite 1158)

Dear Sir:

Enclosed please find two Administrative Complaints and Compliance Orders (Complaints) which specify the U.S. Environmental Protection Agency's determination of violations of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. § 6901 *et seq.*, at the sites located at 2701 South Coliseum Blvd., Suites 1158 and 1284, Fort Wayne, Indiana. EPA based its determination on its June 22, 2005, inspection of these facilities and its review of various files. The Complaints state the reasons for EPA's determination.

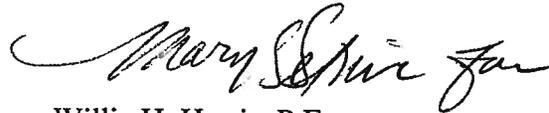
Copies of these Complaints were previously sent to Mr. Randall Geist as Registered Agent of Elite Enterprises, Inc., and Creative Liquid Coatings, Inc., as well as in his individual capacity. The Complaints provided the Respondents (Elite, Creative and Geist) with a Notice of Opportunity for Hearing. It also informed the Respondents that should they desire to contest the Complaints, they had to file a written request for a hearing with the Regional Hearing Clerk within thirty (30) days after service of the Complaints. The request for hearing was to be filed with: Regional Hearing Clerk (E-19J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. A copy of the request should be directed to Richard Clarizio, Office of Regional Counsel (C-14J), at the above address. Furthermore, an answer to the Complaints was due within thirty (30) days after service of the Complaints.

On or about September 24, 2009, Respondents Creative and Geist filed an answer and request for hearing. On October 19, 2009, Administrative Law Judge Barbara Gunning was assigned to preside over the hearing requested by Respondents Creative and Geist. On October 22, 2009, Judge Gunning issued Prehearing Orders establishing, among other things, dates for the parties to provide information pursuant to Section 22.19 of the Consolidated Rules of Practice, 40 C.F.R. §22.19. Copies of the Prehearing Orders are enclosed.

To date, Elite Enterprises, Inc., has neither filed an answer nor a request for a hearing. This letter is to advise you that pursuant to Section 22.17(a) of the Consolidated Rules, 40 C.F.R. §22.17(a) Elite Enterprises may be found in default. A default constitutes an admission of all facts alleged in the Complaints and a waiver of Elite's right to contest such factual allegations. A default may also result in the ordering of the relief requested in the Complaints, 40 C.F.R. §22.17(c).

If you have any questions please contact Richard J. Clarizio, Associate Regional Counsel, U.S. Environmental Protection Agency, Office of Regional Counsel (C-14J), 77 West Jackson Boulevard, Chicago, Illinois 60604. Mr. Clarizio may also be reached at (312) 886-0559.

Sincerely,



Willie H. Harris, P.E.  
Chief, RCRA Branch  
Land and Chemicals Division

Enclosures

cc: Barbara A. Gunning  
Administrative Law Judge  
Richard J. Clarizio  
EPA, Region 5, ORC  
David L. Hatchett  
Hatchett & Hauck, LLP



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

NOV 20 2009

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

LR-8J

Elite Enterprises Inc.  
c/o Mr. Richard Lain  
Secretary of Elite Enterprises Inc.  
2701 South Coliseum Boulevard Suite 1158  
Fort Wayne, Indiana 46803

RECEIVED  
NOV 24 2009

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

Re: Administrative Complaints and Compliance Orders and Prehearing Orders  
Elite Enterprises, Inc., Creative Liquid Coatings, Inc. and Randall Geist  
EPA Docket No.: RCRA-05-2009-0012, INR 000 109 322 (Suite 1284) and  
EPA Docket No.: RCRA-05-2009-0013, IND 985 102 607 (Suite 1158)

Dear Sir:

Enclosed please find two Administrative Complaints and Compliance Orders (Complaints) which specify the U.S. Environmental Protection Agency's determination of violations of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. § 6901 *et seq.*, at the sites located at 2701 South Coliseum Blvd., Suites 1158 and 1284, Fort Wayne, Indiana. EPA based its determination on its June 22, 2005, inspection of these facilities and its review of various files. The Complaints state the reasons for EPA's determination.

Copies of these Complaints were previously sent to Mr. Randall Geist as Registered Agent of Elite Enterprises, Inc., and Creative Liquid Coatings, Inc., as well as in his individual capacity. The Complaints provided the Respondents (Elite, Creative and Geist) with a Notice of Opportunity for Hearing. It also informed the Respondents that should they desire to contest the Complaints, they had to file a written request for a hearing with the Regional Hearing Clerk within thirty (30) days after service of the Complaints. The request for hearing was to be filed with: Regional Hearing Clerk (E-19J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. A copy of the request should be directed to Richard Clarizio, Office of Regional Counsel (C-14J), at the above address. Furthermore, an answer to the Complaints was due within thirty (30) days after service of the Complaints.

On or about September 24, 2009, Respondents Creative and Geist filed an answer and request for hearing. On October 19, 2009, Administrative Law Judge Barbara Gunning was assigned to preside over the hearing requested by Respondents Creative and Geist. On October 22, 2009, Judge Gunning issued Prehearing Orders establishing, among other things, dates for the parties to provide information pursuant to Section 22.19 of the Consolidated Rules of Practice, 40 C.F.R. §22.19. Copies of the Prehearing Orders are enclosed.

To date, Elite Enterprises, Inc., has neither filed an answer nor a request for a hearing. This letter is to advise you that pursuant to Section 22.17(a) of the Consolidated Rules, 40 C.F.R. §22.17(a) Elite Enterprises may be found in default. A default constitutes an admission of all facts alleged in the Complaints and a waiver of Elite's right to contest such factual allegations. A default may also result in the ordering of the relief requested in the Complaints, 40 C.F.R. §22.17(c).

If you have any questions please contact Richard J. Clarizio, Associate Regional Counsel, U.S. Environmental Protection Agency, Office of Regional Counsel (C-14J), 77 West Jackson Boulevard, Chicago, Illinois 60604. Mr. Clarizio may also be reached at (312) 886-0559.

Sincerely,



Willie H. Harris, P.E.  
Chief, RCRA Branch  
Land and Chemicals Division

Enclosures

cc: Barbara A. Gunning  
Administrative Law Judge  
Richard J. Clarizio  
EPA, Region 5, ORC  
David L. Hatchett  
Hatchett & Hauck, LLP



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

NOV 20 2009

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

Elite Enterprises Inc.  
c/o Mr. Richard Lain  
Secretary of Elite Enterprises Inc.  
Creative Powder Coatings  
7505 Freedom Way  
Fort Wayne, Indiana 46818

RECEIVED  
NOV 24 2009

LR-8J

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

Re: Administrative Complaints and Compliance Orders and Prehearing Orders  
Elite Enterprises, Inc., Creative Liquid Coatings, Inc. and Randall Geist  
EPA Docket No.: RCRA-05-2009-0012, INR 000 109 322 (Suite 1284) and  
EPA Docket No.: RCRA-05-2009-0013, IND 985 102 607 (Suite 1158)

Dear Sir:

Enclosed please find two Administrative Complaints and Compliance Orders (Complaints) which specify the U.S. Environmental Protection Agency's determination of violations of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. § 6901 *et seq.*, at the sites located at 2701 South Coliseum Blvd., Suites 1158 and 1284, Fort Wayne, Indiana. EPA based its determination on its June 22, 2005, inspection of these facilities and its review of various files. The Complaints state the reasons for EPA's determination.

Copies of these Complaints were previously sent to Mr. Randall Geist as Registered Agent of Elite Enterprises, Inc., and Creative Liquid Coatings, Inc., as well as in his individual capacity. The Complaints provided the Respondents (Elite, Creative and Geist) with a Notice of Opportunity for Hearing. It also informed the Respondents that should they desire to contest the Complaints, they had to file a written request for a hearing with the Regional Hearing Clerk within thirty (30) days after service of the Complaints. The request for hearing was to be filed with: Regional Hearing Clerk (E-19J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. A copy of the request should be directed to Richard Clarizio, Office of Regional Counsel (C-14J), at the above address. Furthermore, an answer to the Complaints was due within thirty (30) days after service of the Complaints.

On or about September 24, 2009, Respondents Creative and Geist filed an answer and request for hearing. On October 19, 2009, Administrative Law Judge Barbara Gunning was assigned to preside over the hearing requested by Respondents Creative and Geist. On October 22, 2009, Judge Gunning issued Prehearing Orders establishing, among other things, dates for the

parties to provide information pursuant to Section 22.19 of the Consolidated Rules of Practice, 40 C.F.R. §22.19. Copies of the Prehearing Orders are enclosed.

To date, Elite Enterprises, Inc., has neither filed an answer nor a request for a hearing. This letter is to advise you that pursuant to Section 22.17(a) of the Consolidated Rules, 40 C.F.R. §22.17(a) Elite Enterprises may be found in default. A default constitutes an admission of all facts alleged in the Complaints and a waiver of Elite's right to contest such factual allegations. A default may also result in the ordering of the relief requested in the Complaints, 40 C.F.R. §22.17(c).

If you have any questions please contact Richard J. Clarizio, Associate Regional Counsel, U.S. Environmental Protection Agency, Office of Regional Counsel (C-14J), 77 West Jackson Boulevard, Chicago, Illinois 60604. Mr. Clarizio may also be reached at (312) 886-7812.

Sincerely,

A handwritten signature in cursive script, appearing to read "Willie H. Harris".

Willie H. Harris, P.E.  
Chief, RCRA Branch  
Land and Chemicals Division

Enclosures

cc: Barbara A. Gunning  
Administrative Law Judge  
Richard J. Clarizio  
EPA, Region 5, ORC  
David L. Hatchett  
Hatchett & Hauck, LLP