

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

IN THE MATTER OF: :
JAMES GANOE : **U.S. EPA Docket No. TSCA-03-2012-0226**
THOMAS GANOE : **ANSWER TO COMPLAINT AND NOTICE**
: **OF RIGHT TO REQUEST HEARING**

RESPONDENTS :
521 w. Main Street :
Romney, West Virginia 26757 :
420 West Gravel Lane :
Romney, West Virginia :
HC 78, Box 138 :
Kirby, West Virginia :

ANSWER TO COMPLAINT AND NOTICE OF RIGHT TO REQUEST HEARING

Now comes your Respondents, James Ganoe and Thomas Ganoe and answers to
complaint as follows:

That the allegations contained in paragraphs numbered 3, 4, 5, 11, 13, 14, 15, 16, 30, 32, 36 and 40 ask for an interpretation of federal statutes and regulations. Respondents would state that the federal regulations speak for themselves and need no interpretation.

That the Respondents would admit the allegations contained in paragraphs numbered, 1, 2, 6, 7, 8, 9, 10, 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 37, 56, 57, 58 and 59.

That the Respondents are without sufficient information and would ask for the strictest proof thereof for paragraphs numbered 29, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54 and 55.

The Respondents would state that no answers is necessary for paragraphs numbered 31, 35 and 39.

REGIONAL HEARING OFFICE
EPA REGION III, PHILA. PA.

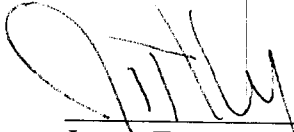
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The Respondents would state that the allegations contained in paragraphs 34, 38, 41, 42, 43 and 44 contain a lease conclusion that needs to be proved in court.

The Respondents hereby request a settlement conference.

James Ganoe and Thomas Ganoe
By Counsel.



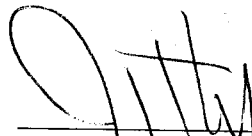
James T. Kratovil WV ID #2103
KRATOVIL LAW OFFICES PLLC
211 W. Washington Street
Charles Town, WV 25414
kratovil@charlestownlaw.com

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the foregoing Answers to Complaint and Notice of Right to Hearing, Docket No. **TSCA-03-2012-0226**, has been filed with the EPA Region III Regional Hearing Clerks and that I caused copies to be sent, certified mail, return receipt requested to:

Rodney T. Carter
Senior Assistant Regional Counsel
U. S. Environmental Protection Agency
Region III (Mail Code 3RC30)
1650 Arch Street
Philadelphia, PA 19103-2029

September 19, 2012



James T. Kratovil
Counsel for Respondents