

Steven T. Singer
Counselor-At-Law
383 Franklin Street
Bloomfield, New Jersey 07003
Tel: 973.680.4297
Fax: 973.680.8066
Email: stsinger@verizon.net

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.II
2007 OCT -4 PM 1:43
REGIONAL HEARING
CLERK

July 27, 2007

Regional Hearing Clerk
USEPA Region II
290 Broadway, 16th Floor
New York, NY 10007

Re: Deltech Resin Co.
Docket No. RCRA-02-2007-7111

Dear Sir/Madam:

On behalf of Deltech Resin Co., enclosed please find an original and one copy of an Answer to the Complaint and Request for Hearing in the above matter.

Very truly yours,


Steven T. Singer, Esq.

Cc: Lee Spielmann, Esq.
Mr. Bern Brody
Mr. Pradeep Lamba

STEVEN T. SINGER, ESQ.
383 Franklin Street
Bloomfield, NJ 07003
Attorney for Respondent
Deltech Resin Co.

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2007 OCT -4 PM 1:42
REGIONAL HEARING
CLERK

In the Matter of Deltech Resin Co.	:	UNITED STATES ENVIRONMENTAL
	:	PROTECTION AGENCY
Respondent	:	
	:	Region 2
	:	
Proceeding under Section 3008 of the	:	Docket No. RCRA-02-2007-7111
Solid Waste Management Act	:	
	:	ANSWER AND REQUEST FOR HEARING

Respondent, Deltech Resin Co., by way of Answer to the Complaint herein, states as follows:

1. Paragraph 1 calls for a legal conclusion to which no response is required.
2. Paragraph 2 calls for a legal conclusion to which no response is required.
3. Paragraph 3 calls for a legal conclusion to which no response is required.
4. Paragraph 4 calls for a legal conclusion to which no response is required.
5. Paragraph 5 calls for a legal conclusion to which no response is required.
6. Paragraph 6 calls for a legal conclusion to which no response is required.
7. Paragraph 7 calls for a legal conclusion to which no response is required.
8. Paragraph 8 calls for a legal conclusion to which no response is required.
9. Admitted.
10. Denied.
11. Admitted.
12. Paragraph 12 calls for a legal conclusion to which no response is required.
13. Admitted.
14. Admitted.
15. Paragraph 15 calls for a legal conclusion to which no response is required.
16. Admitted.
17. Respondent neither admits nor denies the allegations contained in paragraph 17 and leaves Complainant to its proofs.
18. Admitted.

19. Respondent neither admits nor denies the allegations contained in paragraph 19 and leaves Complainant to its proofs.

20. Respondent neither admits nor denies the allegations contained in paragraph 20 and leaves Complainant to its proofs.

21. Admitted.

22. Admitted.

23. Admitted.

24. Admitted.

25. Admitted.

26. Admitted.

27. Admitted.

28. Admitted.

29. Admitted.

30. Admitted.

31. Respondent neither admits nor denies the allegations contained in paragraph 31 and leaves Complainant to its proofs.

32. Admitted.

33. Admitted.

34. Respondent neither admits nor denies the allegations contained in paragraph 34 and leaves Complainant to its proofs.

35. Admitted.

36. Denied.

37. Admitted.

38. Admitted.

COUNT I

39. Respondent repeats its answers to paragraphs 1 through 38 as if set forth at length herein.

40. Paragraph 40 calls for a legal conclusion to which no response is required.

41. Paragraph 41 calls for a legal conclusion to which no response is required.

42. Paragraph 42 calls for a legal conclusion to which no response is required.

43. Respondent neither admits nor denies the allegations contained in paragraph 43 and leaves Complainant to its proofs.

44. Respondent neither admits or denies the allegations contained in paragraph 44 and leaves Complainant to its proofs.

45. Respondent neither admits nor denies the allegations contained in paragraph 45 and leaves Complainant to its proofs.

46. Paragraph 46 calls for a legal conclusion to which no response is required.

47. Paragraph 47 calls for a legal conclusion to which no response is required.

COUNT II

48. Respondent repeats its answers to paragraphs 1 through 47 as if set forth at length herein.

49. Paragraph 49 calls for a legal conclusion to which no response is required.

50. Paragraph 50 calls for a legal conclusion to which no response is required.

51. Paragraph 51 calls for a legal conclusion to which no response is required.

52. Respondent neither admits nor denies the allegations contained in Paragraph 52 and leaves Complainant to its proofs.

53. Paragraph 53 calls for a legal conclusion to which no response is required.

54. Respondent neither admits nor denies the allegations contained in paragraph 54 and leaves Complainant to its proofs.

55. Respondent neither admits nor denies the allegations contained in paragraph 55 and leaves Complainant to its proofs.

56. Paragraph 56 calls for legal conclusion to which no response is required.

COUNT III

57. Respondent repeats its answers to paragraphs 1 through 56 as if set forth at length herein.

58. Paragraph 58 calls for a legal conclusion to which no response is required.

59. Paragraph 59 calls for a legal conclusion to which no response is required.

60. Paragraph 60 calls for a legal conclusion to which no response is required.

61. Paragraph 61 calls for a legal conclusion to which no response is required.

62. Admitted.

63. Respondent neither admits nor denies the allegations contained in paragraph 63 and leaves Complainant to its proofs.

64. Respondent neither admits nor denies the allegations contained in Paragraph 64 and leaves Complainant to its proofs.

65. Paragraph 65 calls for a legal conclusion to which no response is required.

FIRST AFFIRMATIVE DEFENSE

Respondent denies that it is required to conduct monitoring of pumps and valves used to transport hazardous waste at its facility

SECOND AFFIRMATIVE DEFENSE

Respondent denies that it is required to determine the maximum organic vapor pressure of any storage tanks at its facility.

THIRD AFFIRMATIVE DEFENSE

Respondent asserts that any penalties in this matter were not calculated in accordance with the RCRA Civil Penalty Policy.

REQUEST FOR HEARING

Pursuant to 40 CFR 22.15, Respondent hereby requests an administrative hearing with respect to the matters alleged in the Complaint.

Dated: July 27, 2007

By: Steven T. Singer

Steven T. Singer, Esq.

Attorney for Respondent