

COUNT I

(Failure to Respond to an Information Request Letter)

- 11-16. Respondent is without sufficient information to respond to the allegations of paragraphs eleven (11) through sixteen (16), because and since the conversion of this bankruptcy to a Chapter 7, Respondent has transferred the operation of this business to the Chapter 7 Interim Trustee, Gary F. Seitz, Esquire, and is without sufficient knowledge about its operation.

COUNT 2

(Failure to Perform Automatic Line Leak Detector Testing)

17. The prior paragraphs of this Answer are incorporated herein by reference thereto.
- 18-20. The allegations of paragraphs eighteen (18) through twenty (20) are conclusions of law for which no response are required and therefore deny the same.
21. Respondent denies the allegations of paragraph twenty-one (21). Notwithstanding this denial, Respondent hired Mid Atlantic Petroleum Services, Inc. to conduct tests on its tanks on May 5, 2016 and on September 13, 2017.
22. admitted
23. Respondent denies the allegations of paragraph twenty-one (21). Notwithstanding this denial, Respondent hired Mid Atlantic Petroleum Services, Inc. to conduct tests on its tanks on May 5, 2016 and on September 13, 2017.
24. The allegations of paragraphs twenty-four (24) are conclusions of law for which no response are required and therefore deny the same.

COUNT 3

(Failure to Perform Automatic Line Leak Detector Testing)

25. The prior paragraphs of this Answer are incorporated herein by reference thereto.
26. Respondent denies the allegations of paragraph twenty-six (26). Notwithstanding this denial, Respondent hired Mid Atlantic Petroleum Services, Inc. to conduct tests on its tanks on May 5, 2016 and on September 13, 2017.
27. admitted
28. Respondent denies the allegations of paragraph twenty-eight (28). Notwithstanding this denial, Respondent hired Mid Atlantic Petroleum Services, Inc. to conduct tests on its tanks on May 5, 2016 and on September 13, 2017.
29. The allegations of paragraphs twenty-nine (29) are conclusions of law for which no response are required and therefore deny the same.

COUNT 4

(Failure to Provide Automatic Leak Detector)

30. The prior paragraphs of this Answer are incorporated herein by reference thereto.
- 31-32. The allegations of paragraphs thirty-one (31) and thirty-two (32) are conclusions of law for which no response are required and therefore deny the same.
33. The allegations of paragraphs thirty-three (33) are conclusions of law for which no response are required and therefore deny the same.

III. COMPLIANCE ORDER

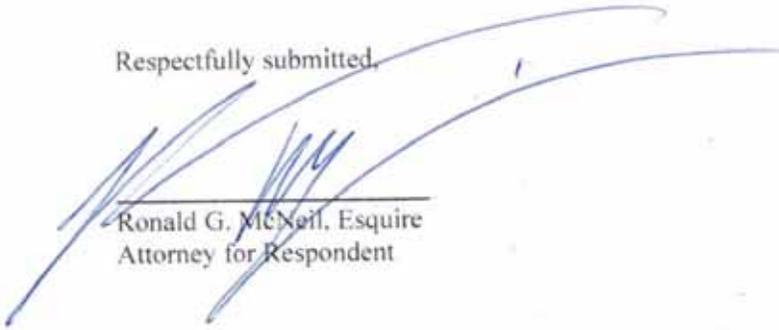
- 34-42. The allegations of paragraphs thirty-four (34) through forty-two (42) are conclusions of law and/or procedural notifications for which no response are required and therefore deny the same.

NEW MATTER - AFFIRMATIVE DEFENSES

43. Plaintiff fails to state a cause of action upon which relief can be granted.
44. Defendant asserts the affirmative defense of estoppel.
45. Defendant asserts the affirmative defense of laches.
46. Defendant asserts the affirmative defense of waiver.
47. Defendant asserts the affirmative defense of lack of notice.
48. Defendant asserts the affirmative defense of bankruptcy.

WHEREFORE, the Defendant respectfully requests the dismissal of this Complaint and/or enter judgment in its favor and against Petitioner.

Respectfully submitted,

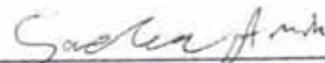


Ronald G. McNeil, Esquire
Attorney for Respondent

VERIFICATION

I declare under penalty of perjury that the information provided in this Answer to this Administrative Complaint is true and correct.

Top Gas & Mini Mart, LLC

By: 

Sadiq Amin, Sole Member

Date: 1-17-20