



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

U.S. Environmental
Protection Agency-Reg 2
2014 OCT -2 AM 10:34
REGIONAL HEARING
CLERK

SEP 25 2014

CERTIFIED MAIL-RETURN RECEIPTS REQUESTED

Article numbers: 7005 3110 0000 5966 6104
7005 3110 0000 5966 6111
7005 3110 0000 5966 6128
7005 3110 0000 5966 6135

Nitin Sahney, President
Omnicare, Inc.
201 E 4th Street
Suite 1500
Cincinnati, Ohio 45202-4121

Sean Kane, Manager
CHP Acquisition Corp. doing business as
Omnicare of Southern New Jersey
40 Twosome Drive, Unit 1
Moorestown, New Jersey 08057

Jeffrey Marcus, Manager
Omnicare of NY LLC doing business as
Omnicare of Whippany
121 Algonquin Parkway
Whippany, New Jersey 07981

Karen Casey, Manager
CARE4, LP doing business as Omnicare of
Edison
120 Fieldcrest Avenue
Edison, New Jersey 08837

Re: **In the Matter of the Omnicare, Inc.; Omnicare of NY LLC; CARE4 LP; and CHP
Acquisition Corp.**
Docket Number RCRA-02-2014-7105

Dear Mr. Sahney, Mr. Marcus, Mr. Kane and Mrs. Casey:

Enclosed is the Complaint, Compliance Order and Opportunity for Hearing in the above-referenced proceeding. The Complaint alleges violations of the Solid Waste Disposal Act, as amended, 42 U.S.C. §§ 6901 *et seq.*

You have the right to a formal hearing to contest any of the allegations in the Complaint and/or to contest the penalty proposed in the Complaint. If you wish to contest the allegations and/or the penalty proposed in the Complaint, you must file an Answer within **thirty (30)** days of your receipt of the enclosed Complaint with the Regional Hearing Clerk of the Environmental Protection Agency ("EPA"), Region 2, at the following address:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th floor
New York, New York 10007-1866

If you do not file an Answer within thirty (30) days of receipt of this Complaint and have not obtained a formal extension for filing an Answer from the Regional Judicial Officer of Region 2, a default order may be entered against you and the entire proposed penalty may be assessed.

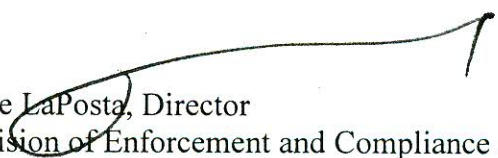
Whether or not you request a formal hearing, you may request an informal conference with EPA to discuss any issue relating to the alleged violations and the amount of the proposed penalty. EPA encourages all parties against whom it files a Complaint to pursue the possibility of settlement and to have an informal conference with EPA. However, a request for an informal conference *does not* substitute for a written Answer, affect what you may choose to say in an Answer, or extend the thirty (30) days by which you must file an Answer requesting a hearing.

You will find enclosed a copy of the "Consolidated Rules of Practice" which govern this proceeding. (A brief discussion of some of these rules appears in the later part of the Complaint.)

EPA encourages the use of Supplemental Environmental Projects, where appropriate, as part of any settlement. I am enclosing a brochure on "EPA's Supplemental Environmental Projects Policy." Please note that these are only available as part of a negotiated settlement and are not available if this case has to be resolved by a formal adjudication.

If you have any questions or wish to schedule an informal conference, please contact the attorney whose name is listed in the Complaint.

Sincerely,



Dore LaPosta, Director
Division of Enforcement and Compliance Assistance

Enclosures

cc: Karen Maples, Regional Hearing Clerk (without enclosures)

