

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of:

FDD, Inc.,
5261 Route 9W
Newburgh, NY 12550

Respondent

In a proceeding under Section 1423(c) of the Safe
Drinking Water Act, 42 U.S.C. § 300h-2(c)

Docket No. SDWA-02-2014-8902

REPORT OF STATUS CONFERENCE AND ORDER

The status teleconference in this matter was held on June 18, 2015. Participating were:

Presiding Officer:	Helen S. Ferrara
Respondent's Attorney:	Edward Carroll
Complainant:	Kara Murphy, Attorney
	Nicole Foley Kraft, Chief, Ground Water Compliance Section
	Frank Brock, Lead Environmental Scientist, Water Compliance Section

Introduction: The Presiding Officer requested that the parties' attorneys provide a general update on efforts to resolve this matter.

Status: Ms. Carroll stated that he is compiling further information and evidence supporting his client's inability to pay claim. He reiterated that the tax returns do not accurately

reflect the cost of maintaining and repairing the property, and hopes to have that information to EPA within two weeks of the date of this call. Mr. Carroll also stated that he had scheduled the well closure, based on a plan that was approved by EPA, for July 13, 2015. He indicated that he will send EPA written notice of this date.

Ms. Murphy agreed that the plan had been approved by EPA, and was waiting for notification of a closure date. She confirmed that Complainant is still waiting for additional financial information from the Respondent. She pointed out that EPA will forward any financial information submitted by Respondent to EPA's contractor, and that it may then take one to two weeks for the contractor to review the information and share its findings with EPA. She also suggested that Mr. Carroll, in addition to making supplemental financial submissions, suggest a penalty amount that his client feels he could pay.

Ms. Kraft reminded Mr. Carroll that the written notice of the well closure should include a contact person.

The parties agreed that it was in the best interest of all parties to schedule a follow up status teleconference to inform the Undersigned of their progress in resolving this matter.

IT IS ORDERED:

A status teleconference is scheduled for Thursday, July 16, 2015 at 10:00AM.

Dated: June 25, 2015



Helen S. Ferrara
Presiding Officer

CERTIFICATE OF SERVICE

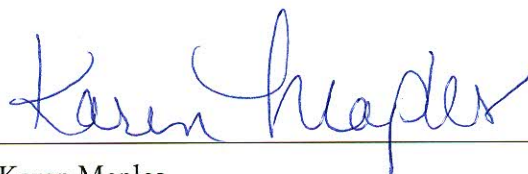
I hereby certify that the **Report of Status Conference and Order** by Regional Judicial Officer Helen Ferrara in the matter of **FDD, Inc., Docket No. SDWA-02-2014-8902**, was served on the parties as indicated below:

First Class Mail -

Edward J. Carroll
2733 Route 209
Kingston, New York 12401

Inter Office Mail:

Kara Murphy, Esq.
Assistant Regional Counsel
USEPA - Region II
290 Broadway, 16th Floor
New York, New York 10007-1866



Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: June 25, 2015