

In the Matter of:

BRADFORD PRINTING AND FINISHING, LLC  
460 Bradford Road  
Westerly, RI 02808

Respondent.

EPA I.D. No. RID075679530

Proceeding under Section 3008(a)  
of the Resource Conservation and  
Recovery Act, 42 U.S.C. § 6928(a)

RECEIVED

Docket No.  
2012 MAY -4 P 2: 19  
RCRA-01-2012-0019

EPA ORC  
OFFICE OF  
REGIONAL HEARING CLERK

**ANSWER TO THE COMPLAINT, COMPLIANCE ORDER**

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Neither admitted or denied as Respondent is without sufficient information to respond.
6. Admitted.
7. Admitted.
8. Admitted.
9. Admitted.
10. Admitted.
11. Admitted.
12. Admitted.
13. Admitted.

14. Admitted.
15. Admitted.
16. Admitted.
17. Admitted. Respondent did not maintain a 90 day hazardous waste accumulation area within its facility in accordance with the requirements of 40 C.F.R. § 262.34(a). Respondent denies that there is unlabeled waste throughout its facility. Plaintiff admits that unlabeled waste was stored in the main building, including the drum storage room, the laboratory, the tin shed and the old mill building.
18. Admitted.
19. Admitted.
20. Admitted.
21. Admitted that Respondent was and currently is the operator of the facility as defined at 40 C.F.R. § 260-10 and RI Rule 3.0. Denied that Respondent is the owner of the facility as defined as 40 CFR Section 260-10 and RI Rule 3.0.
22. Admitted that Respondent has in the past generated solid waste as defined in Section 1004(27) of RCRA, 42 U.S.C §6903 (27) and 40 C.F.R, § 260.10 and 261.2 and RI Rule 3.0.
23. Admitted.
24. Admitted.
25. Admitted. Respondent acknowledges that hazardous waste was generated on site in the past, as defined in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5) 40 C.F.R. §260-10 and 261.3 and RI Rule 3.0
26. Admitted. Respondent has generated hazardous waste in the past. Denied that Respondent is currently a generator of hazardous waste as defined in 40 C.F.R. and RI Rule 3.0
27. Admitted that Respondent is subject to RCRA Regulations as defined in 40 C.F.R., §260-271, 273 and 279 and R.I. Rules deny that Respondent is a generator of hazardous waste.
28. Admitted.
29. Admitted.

- 30. Admitted
- 31a. Admitted
- 31b. Neither admitted or denied as Respondent is without sufficient information to respond.
- 31ci. Admitted. Respondent is currently without sufficient information to admit or deny whether or not the unlabeled container storing unknown waste contains constituents that would cause the waste to meet the definition of hazardous waste. Respondent is currently negotiating with several environmental consulting firms in order to bring together the information necessary to make the determination if the unknown wastes meet the definition of hazardous waste.
- 31cii. Admitted. Respondent is currently without sufficient information to admit or deny whether or not the unlabeled container storing unknown waste contains constituents that would cause the waste to meet the definition of hazardous waste. Respondent is currently negotiating with several environmental consulting firms in order to bring together the information necessary to make the determination if the unknown waste meets the definition of hazardous waste.
- 31d. Admitted. Respondent is currently without sufficient information to admit or deny whether or not the unlabeled container storing unknown waste contains constituents that would cause the waste to meet the definition of hazardous waste. Respondent is currently negotiating with several environmental consulting firms in order to bring together the information necessary to make the determination if the unknown waste meets the definition of hazardous waste.
- 31e. Admitted
- 32. Admitted.
- 33. Respondent leaves Plaintiff to its proof.
- 34. Admitted.
- 35. Admitted.
- 36. Admitted.
- 37. Admitted.
- 38. Admitted.

39. Respondent leaves Plaintiff to its proof.
40. Admitted.
41. Admitted. Respondent is negotiating with several environmental consulting firms to determine the most safe and cost effective manner to properly dispose of the list of laboratory chemicals.
42. Respondent neither admits or denies and leaves Plaintiff to its proof.
43. Respondent neither admits or denies and leaves Plaintiff to its proof.
44. Respondent neither admits or denies and leaves Plaintiff to its proof.
45. Respondent neither admits or denies and leaves Plaintiff to its proof.
46. Respondent neither admits or denies and leaves Plaintiff to its proof.
47. Admitted.
48. Admitted.
49. Admitted.
50. Respondent neither admits or denies and leaves Plaintiff to its proof.
51. Respondent neither admits or denies and leaves Plaintiff to its proof.
52. Respondent neither admits or denies and leaves Plaintiff to its proof.
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57. Respondent neither admits or denies and leaves Plaintiff to its proof.
58. Respondent neither admits or denies and leaves Plaintiff to its proof.
59. Respondent neither admits or denies and leaves Plaintiff to its proof.
60. Admitted.

61. Admitted.
62. Admitted.
63. Respondent neither admits or denies and leaves Plaintiff to its proof.
64. Respondent neither admits or denies and leaves Plaintiff to its proof.
65. Respondent neither admits or denies and leaves Plaintiff to its proof.
66. Respondent neither admits or denies and leaves Plaintiff to its proof.
67. Respondent neither admits or denies and leaves Plaintiff to its proof.
68. Respondent neither admits or denies and leaves Plaintiff to its proof.
69. Respondent neither admits or denies and leaves Plaintiff to its proof.
70. Admitted.
71. Respondent admits that there were three broken and unpackaged waste lamps that were found on the floor and on top of a 55 gallon container and two unpackaged waste lamp assembly on the floor. Respondent denies that these items were actively stored in such a manner and location.
72. Admitted.
73. Respondent neither admits or denies and leaves Plaintiff to its proof.
74. Respondent neither admits or denies and leaves Plaintiff to its proof.
75. Respondent neither admits or denies and leaves Plaintiff to its proof.
76. Admitted.
77. Admitted.
78. Admitted..
79. Admitted.
80. Respondent neither admits or denies and leaves Plaintiff to its proof.
81. Respondent neither admits or denies and leaves Plaintiff to its proof.

WHEREFORE, your Respondent requests an informal settlement conference to resolve this matter.

RESPONDENT,  
By and through their Attorney,



Steven H. Surdut, Esq.#8413  
Law Office of George A. Comolli  
15 Franklin Street  
Westerly, RI 02891  
(401)348-0999

CERTIFICATION

I hereby certify that I mailed a true copy of the foregoing Answer to Wanda R. Santiago, Regional Hearing Clerk at her address of 5 Post Office Square, Suite 100, Boston, MA 02109-3912 and also to Kevin P. Pechulis, Environmental Council for U.S. Environmental Protection Agency, Region 1, at his address of 5 Post Office Square, Suite 100, Boston, MA 02109-3912 by first class mail, postage prepaid, this 2 day of May, 2012.

