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January 30, 2012

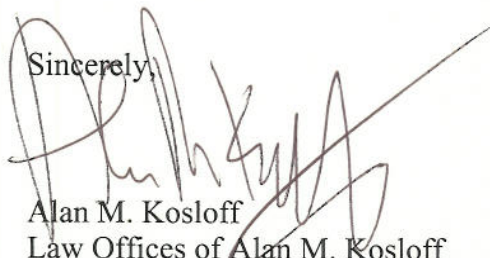
Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region I
5 Post Office Square, Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

Re: In the Matter of Asnat Realty, LLC and Evergreen Power, LLC
Docket No. TSCA-01-2011-0125

Dear Ms. Santiago:

Enclosed please find Respondents' Answer and Request for Hearing with respect to the above referenced matter.

Sincerely,



Alan M. Kosloff
Law Offices of Alan M. Kosloff
Respondents' Attorneys

cc: William D. Chin / Catherine Smith

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

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_____)
IN THE MATTER OF:)
)
Asnat Realty, LLC)
Evergreen Power, LLC)
c/o Law Offices of Alan M. Kosloff)
28 North Main Street)
West Hartford, CT 06107)
)
Respondents.)
)
Proceeding under Section 16(a) of the)
of the Toxic Substances Control Act,)
42 U.S.C. § 2615(a).)
_____)

Docket Number:

TSCA-01-2011-0125

RESPONDENTS' ANSWER AND REQUEST FOR HEARING

Respondents' Asnat Realty, LLC and Evergreen Power, LLC hereby answer to the *Complaint* in the above captioned matter. In addition, Respondents' request a hearing in this matter.

I. Introduction:

1. With respect to those portions of Paragraph 1 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 1, if any, is denied.
2. Respondent acknowledges the Notice of Opportunity for Hearing as set forth in Paragraph 2. With respect to any portion of Paragraph 2 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 2 is denied.

II. Statutory and Regulatory Authority:

3. With respect to those portions of Paragraph 3 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 3, if any, is denied.
4. With respect to those portions of Paragraph 4 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 4, if any, is denied.
5. With respect to those portions of Paragraph 5 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 5, if any, is denied.
6. With respect to those portions of Paragraph 6 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 6, if any, is denied.
7. With respect to those portions of Paragraph 7 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 7, if any, is denied.
8. With respect to those portions of Paragraph 8 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 8, if any, is denied.

III. Background:

9. Admitted.
10. Respondents admit the first sentence of Paragraph 10. With respect to the second sentence: Respondents admit that Site was the former location of a power plant known as English station; Respondents deny that operations at English Station continued until 1992; as to the remainder of the second sentence, Respondents have insufficient knowledge or information upon which to form a belief and leave Plaintiff to its proof. The third, fourth, and fifth sentences of Paragraph 10 are denied. The sixth and seventh sentences of Paragraph 10 are admitted.

11. With respect to those portions of Paragraph 11 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 11, if any, is denied.
12. Respondents have insufficient knowledge or information upon which to form a belief and leave Plaintiff to its proof.
13. Admitted.
14. With respect to the test results and conclusions drawn therefrom, Respondents have insufficient knowledge or information upon which to form a belief and leave Plaintiff to its proof. The remainder of Paragraph 14 is admitted.
15. Respondents have insufficient knowledge or information upon which to form a belief and leave Plaintiff to its proof.
16. Respondents have insufficient knowledge or information upon which to form a belief and leave Plaintiff to its proof.
17. Admitted.
18. With respect to those portions of Paragraph 18 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 18, if any, is denied.
19. With respect to those portions of Paragraph 19 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 19, if any, is denied.
20. With respect to those portions of Paragraph 20 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 20, if any, is denied.
21. Admitted.
22. Admitted.
23. Admitted.

24. With respect to those portions of Paragraph 24 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 24, if any, is denied.

Count 1:

25. Respondents incorporate by references their responses to Paragraphs 1 through 24 as though fully set forth herein.

26. With respect to those portions of Paragraph 26 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 26, if any, is denied.

27. With respect to those portions of Paragraph 27 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 27, if any, is denied.

28. Denied.

29. Denied.

30. Denied.

Count 2:

31. Respondents incorporate by references their responses to Paragraphs 1 through 30 as though fully set forth herein.

32. With respect to those portions of Paragraph 32 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 32, if any, is denied.

33. With respect to those portions of Paragraph 33 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 33, if any, is denied.

34. With respect to those portions of Paragraph 34 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 34, if any, is denied.

35. Denied.

36. Denied.

37. Denied.
38. Denied.
39. Denied.

IV. Proposed Civil Penalties:

40. With respect to those portions of Paragraph 40 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 40, if any, is denied.
41. With respect to those portions of Paragraph 41 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 41, if any, is denied.
42. With respect to those portions of Paragraph 42 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 42, if any, is denied.
43. With respect to those portions of Paragraph 43 stating a legal conclusion, Respondents need not answer; the remainder of Paragraph 43, if any, is denied.
44. To the extent Paragraph 44 contains any allegations to which Respondents must answer, such allegations are denied. Respondents further contend that the proposed penalty is inappropriate.

V. Notice of Opportunity to Request a Hearing:

45. Respondents acknowledge the notice of their right to request a hearing. As stated, *supra*, Respondents request a hearing in this matter.
46. Paragraph 46 contains no allegations and, therefore, Respondents make no answer.
47. Paragraph 47 contains no allegations and, therefore, Respondents make no answer. However, Respondents refer to the certificate of service appended hereto.
48. Paragraph 48 contains no allegations and, therefore, Respondents make no answer. However, Respondents refer to the certificate of service appended hereto.

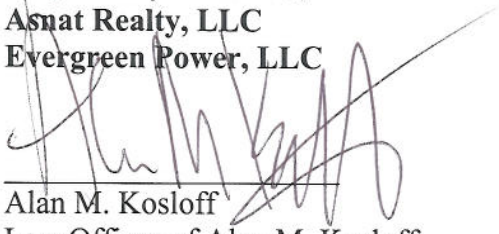
49. Paragraph 49 contains no allegations and, therefore, Respondents make no answer.

VI. Settlement Conference:

50. Paragraph 50 contains no allegations and, therefore, Respondents make no answer.

51. Paragraph 51 contains no allegations and, therefore, Respondents make no answer.

Respectfully submitted,
Asnat Realty, LLC
Evergreen Power, LLC



Alan M. Kosloff
Law Offices of Alan M. Kosloff
Their Attorneys
28 North Main Street
West Hartford, CT 06107

Date: January 30, 2012

In the Matter of **Asnat Realty, LLC and Evergreen Power, LLC**
Docket No. **TSCA-01-2011-0125**

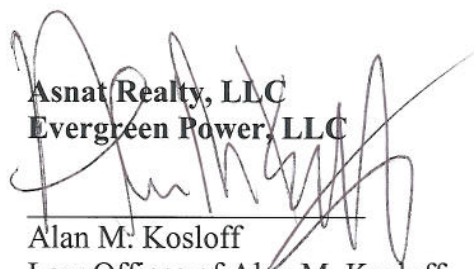
CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Answer & Request for Hearing* (original and 1 copy) was sent via first class mail and filed with the Regional Hearing Clerk's office at the following address:

Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region I
5 Post Office Square, Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

and that a copy was sent to Catherine Smith and William D. Chin by first class mail at the following address:

William D. Chin
Catherine Smith
U.S. EPA, Region I
5 Post Office Square, Suite 100
Mail Code: OES04-4
Boston, MA 02109-3912


Asnat Realty, LLC
Evergreen Power, LLC
Alan M. Kosloff
Law Offices of Alan M. Kosloff
Their Attorneys
28 North Main Street
West Hartford, CT 06107

Date: January 30, 2012