

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

2019 FEB 11 11:57

-----X
:
In the Matter of: :
:
Rosmarins Land Holdings, LLC and :
Camp Rosmarin, Inc. :
:
:
Respondents :
:
:
Proceeding under Section 16(a) of :
the Toxic Substances Control Act :
-----X

AMENDMENT TO COMPLAINT
Docket No. TSCA-02-2017-9282

WHEREAS on June 26, 2017, Complainant in this proceeding, the Director of the Division of Enforcement and Compliance Assistance, United States Environmental Protection Agency, Region 2, issued a Complaint and Notice of Opportunity for Hearing (the "Complaint") to Respondents Rosmarins Land Holdings, LLC and Camp Rosmarin, Inc. ("Respondent").

WHEREAS in a subsequent settlement meeting, Respondents provided documented evidence and a Certification Statement under penalty of perjury that Rosmarins Land Holding, LLC should not be named as one of the Respondents in this matter for the following reasons: (a) Scott Rosmarin is the owner and operator of Camp Rosmarin, Inc., and the structures which are the subject of this enforcement action; and is responsible for the day to day operations of Camp Rosmarin, Inc.; (b) Rosmarins Land Holdings, LLC is a real estate holdings company that owns the land on which Camp Rosmarin, Inc. structures are located; and (c) Rosmarins Land Holdings is not involved in or responsible for the day to day operations of Camp Rosmarin, Inc.

WHEREAS the Parties have agreed that it is appropriate that Camp Rosmarin, Inc. only be named the Respondent in the caption and other parts of the Complaint.

WHEREAS Complainant may amend the complaint as a matter of right before an answer has been filed pursuant to 40 C.F.R. Part 22.14(d).

WHEREBY:

1. The caption of the Complaint is amended to read "Camp Rosmarin, Inc. Docket Number TSCA-02-2017-9282."

2. The named Respondent in Complaint is revised to be "Camp Rosmarin, Inc."
3. All references to Rosmarins Land Holding, LLC and Camp Rosmarin, Inc., Respondents, in the Complaint are replaced by Respondent Camp Rosmarin, Inc., which entity is also referred to as Rosmarin Cottages.
4. All references to "Respondents" plural in the Complaint are replaced by "Respondent" singular.
5. Paragraph 4 is revised to be "Camp Rosmarin, Inc." owns the structures located at 11 School Road, Monroe, New York 10950."
6. Paragraph 9 is revised to be "Camp Rosmarin, Inc." is "owner" of target housing as that term is defined by 40 C.F.R. §745.103.
7. Paragraph 11 is revised to be Respondent "Camp Rosmarin, Inc." owns and also acts as general manager or managing agent of the summer residential colony.
8. Paragraph 32 "Upon information and belief, Martin Rosmarin is a member of Respondent Rosmarins Land Holdings, LLC" is to be stricken out of the Complaint.
9. Paragraph D., in the PROCEDURES GOVERNING THIS ADMINISTRATIVE LITIGATION Section of the Complaint, is revised to be:

"Headquarters Hearing Clerk"
Office of the Administrative Law Judges
Ronald Reagan Building, Room M1200
U.S. Environmental Protection Agency
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

In the Matter of Rosmarins Land Holdings, LLC and Camp Rosmarin, Inc.
Docket Number TSCA-02-2017-9282

COMPLAINANT: **UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY REGION 2**



Dore LaPosta, Director

Division of Enforcement and Compliance Assistance

U.S. Environmental Protection Agency – Region 2

290 Broadway

New York, New York 10007-1866

Date: **FEB - 2 2018**

In the Matter of Rosmarins Land Holdings, LLC and Camp Rosmarin, Inc.,
Docket Number TSCA-02-2017-9282

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing Amendment to the Complaint bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and One Copy

By Hand:

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

Copy by Certified Mail

Return Receipt Requested:

Mr. Scott Rosmarin, President
Camp Rosmarin, Inc.
12 School Road
Monroe, New York 10950

Dated:

2/6/18 Yolanda Mejia