

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. Environmental
Protection Agency-Region 2
2019 NOV 22 11 3 01

In re:

T. Fiore Demolition, Inc.

Respondent

In a proceeding under
Section 113(d) of the Clean Air Act

**SUPPLEMENTAL MOTION AND
INCORPORATED MEMORANDUM IN
SUPPORT OF SUPPLEMENTAL
MOTION PROVIDING
CONFIRMATION OF SERVICE OF
THE COMPLAINT ON THE
RESPONDENT**

CAA-02-2016-1203

**SUPPLEMENTAL MOTION AND INCORPORATED MEMORANDUM IN SUPPORT
OF SUPPLEMENTAL MOTION PROVIDING CONFIRMATION OF SERVICE OF
THE COMPLAINT ON THE RESPONDENT**

Complainant by and through EPA, Region 2, Office of Regional Counsel, has previously moved for a default judgment assessing a penalty against Respondent T. Fiore Demolition, Inc. On October 29, 2019, Complainant was ordered “to provide, by motion, any confirmation it may have that Respondent was successfully served on the date claimed.” Complainant now moves the Presiding Officer to find service of process for the complaint was adequate.

Under the Consolidated Rules of Practice, service of a complaint shall be “on respondent, or a representative authorized to receive service on respondent's behalf,” and can be accomplished, *inter alia*, by certified mail with a return receipt requested. 40 C.F.R. § 22.5(b)(1)(i). Under 40 C.F.R. § 22.5(b)(1)(ii)(A), “[w]here respondent is a domestic or foreign corporation, a partnership, or an unincorporated association which is subject to suit under a common name, complainant shall serve an officer, partner, a managing or general agent, or any other person authorized by appointment or by Federal or State law to receive service of process.” Service of a complaint is complete when the return receipt is signed. *Id.* § 22.7(c). Due process

is satisfied, even if actual notice is not achieved, if an agency employs a procedure reasonably calculated to achieve actual notice. See *In re C.W. Smith, Grady Smith, & Smith's Lake Corp.*, Docket No. CWA-04-2001-1501, 2002 WL 257696, at *8 (E.P.A. A.L.J. Feb. 6, 2002) (citing *Katzson Bros., Inc. v. U.S. E.P.A.*, 839 F.2d 1396, 1400 (10th Cir. 1988)). In addition, “[t]he achievement of actual service of process obviates the failure of Complainant to strictly comply with the service of process procedures of the Rules of Practice.” *In re C.W. Smith, Grady Smith, & Smith's Lake Corp.*, at *6.

For service of process via certified mail under the Consolidated Rules of Practice, the Tenth Circuit in *Katzson* notes that requiring any more than the addressing of the letter to a proper recipient under the EPA’s Consolidated Rules of Practice “would severely hinder service of process on corporations by certified mail, since the postal service employee would have to wait on the corporation’s premises until the officer, partner, or agent could sign the return receipt.” *Katzson Bros., Inc.* at 1399; see also *In re Medzam, Ltd.*, 4 E.A.D. 87, 93 (E.A.B. 1992) (“[w]hen serving a Complaint by mail, Complainant has control over how the mail is addressed but none whatsoever over who receives and signs for it on behalf of the Respondent.”).¹ The EAB in 2014 further noted that the part 22 rules authorizing service of a complaint on a corporation by certified mail do not require the EPA to take the further step of using USPS “restricted delivery,” which would require the signature of the specific person listed as the addressee. See *In re Jonway Motorcycle (USA) Co., Ltd, et al.*, 2014 WL 8060919, at *4 n.14 (E.A.B. Nov. 14, 2014) (noting this distinction); see U.S. Postal Service website at <https://www.usps.com/ship/insurance-extra-services.htm> for additional description of restricted delivery.

The EPA filed the complaint in this matter on Sept. 13, 2016. Service of the complaint on the Respondent was made by certified mail with return receipt requested. The complaint was

¹ Note that *Katzson Bros.* and *Medzam, Ltd.* were decided under an earlier version of the current part 22 rules, under which service was considered effective upon mailing as long as it was “directed to” the proper person. This language was revised in 1999, and both the proposed and final rule preambles effectuating the revision describe the change as “clarify[ing]”; neither preamble describes any intent to narrow the means of service by certified mail. See Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 64 Fed. Reg. 40138, 40146 (finalized July 23, 1999); Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 63 Fed. Reg. 9464, 9468 (proposed Feb. 25, 1998).

mailed to “Theodore Fiore, President, T. Fiore Demolition, Inc., 457 Wilson Ave, Newark, NJ 07105.” Mr. Fiore, as the company’s president, was a proper addressee for the mailed complaint. 457 Wilson Ave is T. Fiore Demolition, Inc.’s business address, and it is the address the company used in signing the contracts with the Township of Brick for the demolition work at issue in this matter. *See* Attachment A (contract with Brick Township).

Complainant here provides, as Attachment B, a copy of the signed and dated green card, as it was returned to EPA. According to the green card, the package was received and signed for at T. Fiore Demolition, Inc.’s mailing address three days later on “9-16” (September 16). *See* Attachment B (green card); *see also* Attachment C (Declaration of Sara Froikin).

Respondent T. Fiore Demolition, Inc. is a “domestic profit corporation.” *See* Attachment D (State of New Jersey’s Division of Revenue and Enterprise Services Business Name Search, from Nov. 1, 2019). Thus, as discussed above, the complaint may be served on “an officer, partner, a managing or general agent, or any other person authorized by appointment or by Federal or State law to receive service of process.” The green card appears to be signed by “A. McGriff.” According to the website LinkedIn, an individual named AlNisha McGriff lists in her “experience” a position in “accounts receivables” for T. Fiore Demolition, Inc. *See* Attachment E (AlNisha McGriff LinkedIn profile). At a company such as T. Fiore Demolition, Inc., it would be reasonable for an office worker such as an employee in accounts receivables to be considered a general agent for purposes of receiving and signing for the mail and for knowing how to direct it properly within the company. EPA has further reason to believe that AlNisha McGriff regularly received and signed for the mail for the company, as Ms. McGriff also signed the green card for EPA’s Dec. 23, 2016 reminder letter (previously provided as Attachment C to the Memorandum in Support of Complainant’s Motion for Default Judgment on Civil Penalty).

Further, Mr. Fiore himself signed the green card for EPA’s second reminder letter on Feb. 8, 2018 (Attachment D to the previously provided Memorandum in Support of Complainant’s Motion for Default Judgment on Civil Penalty). This letter included as attachments copies of both the complaint and the first reminder letter. Mr. Fiore also left a voicemail for Complainant’s counsel, Sara Froikin, on April 29, 2019, and cited the case docket

number (Docket #CAA-02-2016-1203) in his voicemail.² See Attachment C (Declaration of Sara Froikin). The combination of the Feb. 8, 2018 green card and the voicemail indicates that Mr. Fiore and T. Fiore Demolition, Inc. are on actual notice of this matter.

Complainant is serving on the Respondent by certified mail the following documents:

- i. the Complainant's Supplemental Motion and Incorporated Memorandum in Support of Supplemental Motion Providing Confirmation of Service of the Complaint on the Respondent; and
- ii. Attachments to the Complainant's Supplemental Motion and Incorporated Memorandum in Support of Supplemental Motion Providing Confirmation of Service of the Complaint on the Respondent.

As per the Presiding Officer's October 29, 2019 Order, any response by the Respondent to Complainant's present motion and accompanying documents must be filed within twenty (20) days after this motion is filed with the Regional Hearing Clerk, and in accordance with 40 C.F.R. § 22.16(b) (Response to Motions).

In accordance with 40 C.F.R. § 22.5(a), the original and one copy of any response to this motion and any supporting documents must be filed at the following address:

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

A copy of any response to this motion and any supporting documents, as well as copies of all other papers filed in this matter, are to be served on EPA to the attention of EPA counsel at the following address:

² At the time of the Motion for Default Judgment, Complainant was aware that Respondent's Chapter 11 bankruptcy petition in the United States Bankruptcy Court for the District of New Jersey was dismissed. However, Respondent has in fact been undergoing a state chancery proceeding in the Superior Court of New Jersey, Chancery Division, Docket No. C-257-09, which is the state equivalent of a federal bankruptcy proceeding. Mr. Fiore informed the Respondent of the state chancery proceeding via his April 29, 2019 voicemail. Complainant intends to enforce any penalty from a default judgment in the chancery proceeding.

Sara Froikin
Assistant Regional Counsel
Office of Regional Counsel, Air Branch
U.S. Environmental Protection Agency - Region 2
290 Broadway - 16th Floor
New York, New York 10007-1866

Complainant has previously sent (along with the Complaint) the Respondent a copy of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, found at 40 C.F.R. Part 22.

Dated: November 21, 2019

New York, New York

Respectfully submitted,



Sara Froikin
Assistant Regional Counsel
Office of Regional Counsel
Air Branch
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, New York 10007-1866
212-637-3263
froikin.sara@epa.gov

Attachment A:

T. Fiore Demolition, Inc. Contract with Township of Brick
from June 2013

Contract No. REBID - PPDR/D2013

REBID - DEMOLITION, REMOVAL, RECYCLING AND/OR DISPOSAL OF
FEMA ELIGIBLE DEBRIS ON PUBLIC & PRIVATE PROPERTY IN THE
TOWNSHIP OF BRICK RESULTING FROM THE "SANDY" DISASTER

THIS CONTRACT by and between:

Township of Brick, 401 Chambers Bridge Road, Brick, NJ 08723 (hereinafter "OWNER") and Waterside Construction, LLC / T. Fiore Demolition, A Joint Venture, 457 Wilson Avenue, Newark, NJ 07105 (hereinafter "CONTRACTOR")

Owner and Contractor, for and in consideration of the mutual covenants, promises, and agreements hereinafter set forth, agree to and with each other as follows:

1. **Defined Terms:** Terms used in this Agreement which are defined in the Information to Bidders, General Conditions and Technical Specifications shall have the meanings indicated therein.
2. **CONTRACTOR** agrees to perform the Work in accordance with the Contract Documents.
3. **CONTRACTOR** may be debarred, suspended or disqualified from Contracting with the State if the contractor commits any of the acts listed in N.J.A.C 7:1-5.1 et seq.
4. **OWNER** agrees to pay CONTRACTOR for the Work in accordance with the Contract Documents.
5. **Contract Documents:** The Contract Documents which comprise the entire Agreement between OWNER and CONTRACTOR are as defined in the General Conditions.
6. **Work:** The work for this project is listed on the Schedule of Prices.
7. **Notice to Proceed:** Once the required documents have been submitted, reviewed and approved, a Notice to proceed will be issued by the Township and will formally commence the contract time.
8. **Commencement of Contract Time:** Contract Time shall commence on the day indicated in the Notice to Proceed.
9. **Contract Times:** The contractor agrees to work diligently to complete this contract. Pursuant to P.L. 40A:11-5(9) agrees to complete this project for the length of the time authorized and necessary for the completion of the project.

1914
1915
1916

10. **Contract Price:** The Contract Price for the Work is based on the estimated quantities listed in the attached schedule of prices.
11. **Retainage:** Retainage hereby is established as follows: **Two (2) Percent** if the **Contract Price Exceeds One Hundred Thousand Dollars (\$100,000)**; or **Ten (10) Percent** if the Contract Price is One Hundred Thousand Dollars (\$100,000) or less.
12. **Progress Payments:** Progress payments will be made based on the Schedule of Prices less retainage and all other deductions applicable in accordance with the Contract Documents.
13. **Prevailing Wages:** Pursuant to New Jersey statutory requirements (P.L. 1963,c.150), a wage determination for the work in effect on the date of the Notice of Award and made by the New Jersey Department of Labor is made a part of this contract by reference and shall apply as if set forth herein at length. The Director of Public Works shall request the aforementioned wage determination, maintain it on file during the work, and provide a copy to the Contractor upon request.
14. **Mandatory Affirmative Action Language:** CONTRACTOR and all subcontractors shall comply with the provisions of N.J.S.A. 10:5-31 et. seq. and N.J.A.C. 17:27 and the regulations adopted there under, and specifically agree to comply with the terms and conditions of Exhibit B Mandatory Affirmative Action Language which is attached hereto and made a part of the Contract Documents.
15. **Construction Contract Reports:** Pursuant to Exhibit B Mandatory Affirmative Action Language, and rules and regulations related thereto, CONTRACTOR shall complete and submit monthly project manning reports as prescribed by the Division of Contract Compliance and Equal Employment Opportunity Office.
16. **Monitoring Company:** The Monitoring Company is as named as follows:
Arcadis
17. **Monitoring Consultant:** The Monitoring Consultant is named as follows:
Samuel M. Rosania
18. **Prohibition on Assignment:** CONTRACTOR shall not assign or transfer any of its rights or interests in this Agreement without the written consent of the Owner.
19. **Permits:** Pursuant to Supplementary Conditions of the General Conditions, CONTRACTOR is responsible to obtain all permits required for the work except those secured by the OWNER. The Owner has obtained certain permits and approvals which were required by law or regulation to obtain, copies of which are attached to these documents and made a part hereof this Agreement. The CONTRACTOR shall comply with the conditions and requirements of said permits and approvals which relate to construction and performance of the work.

20. **Statutory Requirements:** CONTRACTOR shall comply with all applicable Laws and Regulations including N.J.S.A.10:5-31 et. seq. and N.J.A.C. 17:27 (Affirmative Action), P.L. 1999, c. 238 (Public Works Contractor Registration), P.L. 1963, c. 150 (Prevailing Wage) and P.L. 2004, c. 57 (New Jersey Business Registration Requirements). Contractor and subcontractors shall comply with Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C 2000d-2000d-4). Contractor and subcontractors shall comply with the provisions of N.J.S.A. 52:32-4 et seq and the rules and regulations promulgated pursuant thereto, as well as the provisions set forth in the Uniform Construction Code 5:23-7.1 et seq, regarding facilities for the handicapped.

21. The CONTRACTOR shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement.

CONTRACTOR: **Waterside Construction LLC / T. Fiore Demolition, Inc.**
Joint Venture

Authorized Signature: 

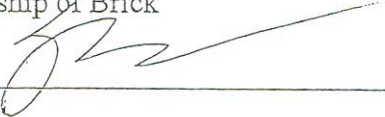
Name and Title: Theodore Fiore - President

Attest: (Signature) 


Name and Title: Dennis Darnenfelser Jr. - Operations MGR.

Signature Date: 6/21/13

OWNER: **Township of Brick**

Authorized Signature: 

Name and Title: Stephen C. Acropolis Mayor

Attest: (Signature) 

Name and Title: LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Effective Date of Contract 6/23/13

Attachment B:

Signed Green Card for Service of Complaint

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Theodore Fiore, President
 T. Fiore Recycling, Inc.
 411 Wilson Ave.
 Newark, N.J. 07105



9590 9403 0726 5196 9193 32

7015 0640 0001 0675 2615

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature *A. McComb* Agent
 Addressee

B. Received by (Printed Name) *A. McComb* C. Date of Delivery *9-16*

D. Is delivery address different from item 1? Yes
 No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Mail

Mail Restricted Delivery (over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Theodore Fiore, President
 T. Fiore Demolition, Inc.
 457 Wilson Ave
 Newark, N.J. 07105



9590 9403 0726 5196 9193 25

7015 0640 0001 0675 2622

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature *A. McComb* Agent
 Addressee

B. Received by (Printed Name) *A. McComb* C. Date of Delivery *9-16*

D. Is delivery address different from item 1? Yes
 No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Mail

Mail Restricted Delivery (over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

Domestic Return Receipt

UNITED STATES POSTAL SERVICE

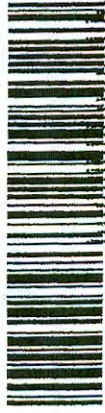


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box®

S. Frolikin
U.S. EPA, Region 2
290 Broadway, 16th Fl.
New York, N.Y. 10007-1866

USPS TRACKING#



9590 9403 0726 5196 9193 32

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box®

S. Frolikin
U.S. EPA, Region 2
290 Broadway
New York, N.Y. 10007-1866

USPS TRACKING#



9590 9403 0726 5196 9193 25

Attachment C:

Declaration of Sara Froikin

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

In re:

T. Fiore Demolition, Inc.

Respondent

In a proceeding under
Section 113(d) of the Clean Air Act

CAA-02-2016-1203
CHRISTOPHER J. FROIKIN
Notary Public, State of New York
No. 02266188508
Qualified in Kings County
My Commission Expires Dec. 04, 2014

DECLARATION OF SARA FROIKIN

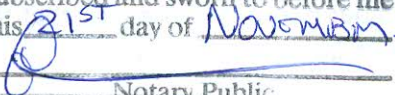
I, Sara Froikin, declare pursuant to 28 U.S.C. Section 1746, under penalty of perjury, that the following is true and correct to the best of my knowledge, information and belief:

1. I have been an attorney at the United States Environmental Protection Agency (EPA) since 2009. I have been an attorney in the Office of Regional Counsel of EPA Region 2 since 2015.
2. I am and have served as counsel in the present civil administrative case for the duration of time that this matter has been before the Presiding Officer.
3. EPA sent the complaint in this matter to T. Fiore Demolition, Inc. by certified mail in September 2016. I recalled receiving the green card from that mailing back within a month or two of the mailing, although I do not recall the exact date. I can attest that I received the green card for the complaint far less than one year from mailing. Thus, the "9-16" date on the green card must indicate Sept. 16, 2016.
4. An individual identifying himself as Ted Fiore left me a voicemail message on April 29, 2019 at 1:24 PM. Mr. Fiore indicated he was calling about Docket #CAA-02-2016-1203, which is the docket number for this case. Mr. Fiore explained that he is out of business, and that the business had been taken over by a receiver. Mr. Fiore then provided contact information for an attorney (who I have since learned is the attorney for the receiver), as

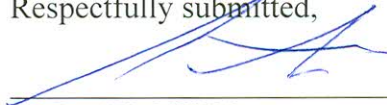
well as his own phone number. I saved notes regarding this voicemail, provided as Attachment 1 to this declaration.

Dated: November 21, 2019
New York, New York

CHRIS SAPORITA
Notary Public, State of New York
No. 02SA6156508
Qualified in Kings County
My Commission Expires ~~Dec. 04, 2014~~ March, 2023 (e)

Subscribed and sworn to before me
this 21ST day of November, 2019

Notary Public

Respectfully submitted,



SARA FROIKIN
Assistant Regional Counsel
Office of Regional Counsel
Air Branch
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, New York 10007-1866
212-637-3263
froikin.sara@epa.gov

Attachment 1 to Froikin Declaration:

Notes Regarding April 29, 2019 T. Fiore Voicemail Left for
Sara Froikin

2019-05-08 Notes on voicemail from Ted Fiore.txt

Voicemail from April 29, 1:24 PM (received on May 8):

- Ted Fiore calling about Docket #CAA-02-2016-1203
- His company is out of business, has been out of business for a long time. The business has been taken over by a receiver, he will forward him the documents that are being sent to him. Provided the name Jeff Testa, an attorney for McCarter English in North NJ. If I need to Mr. Fiore back, his number is 973-332-8967.

I left a message on May 8, 2019 at 3:20 PM for Mr. Testa (973-639-7939), with a secretary at his law firm.

Attachment D:

State of New Jersey's Division of Revenue and Enterprise
Services Business Name Search, conducted Nov. 1, 2019



Business Name Search

Required Fields [*]

Search Criteria

Business Name *

t. fiore

Use "%" as a wildcard

Search →

x Cancel (/DOR/BusinessNameSearch/)

Show entries

Business Name	Entity Id	City	Type	Incorporated Date
T. FIORE DEMOLITION CONTRACTORS, INC.	8833168500		DP (Domestic Profit Corporation)	3/15/1974
T. FIORE DEMOLITION, INC.	0100469237	NEWARK	DP (Domestic Profit Corporation)	12/4/1990
T. FIORE RECYCLING CORP.	0100366895	NEWARK	DP (Domestic Profit Corporation)	2/26/1988
T. FIORE TRUCKING, INC.	0100475347	NEWARK	DP (Domestic Profit Corporation)	2/13/1991

Showing 1 to 4 of 4 entries

« Previous Next »

Division of Revenue & Enterprise Services

PO (Post Office) Box 450
 Trenton, NJ (New Jersey) 08646-0303

Support

Division of Revenue & Enterprise Services Web Site
<http://www.state.nj.us/treasury/revenue>
 Search Help
 (/DOR/BusinessNameSearch/Home/Help)
 Contact Us
<https://www.njportal.com/ErrorPages/ContactUs.aspx>

Polices & Procedures

Privacy Policy
<https://www.njportal.com/ErrorPages/Privacy.aspx>
 Accessibility Policy
<https://www.njportal.com/ErrorPages/Accessibility.aspx>
 Security Policy
<https://www.njportal.com/ErrorPages/Security.aspx>
 Copyrights & Disclaimers
<https://www.njportal.com/ErrorPages/Disclaimer.aspx>



Attachment E:

AINisha McGriff LinkedIn Profile

Join now

Sign in

AINisha McGriff



AINisha McGriff

T FIORE DEMOLITION

ACCOUNTS RECEIVABLES at T FIORE DEMOLITION

Newark, New Jersey · 0 connections

Sign in to Connect

Experience

ACCOUNTS RECEIVABLES

T FIORE DEMOLITION

View AINisha McGriff's full profile to

- ✓ See who you know in common
- ✓ Get introduced
- ✓ Contact AINisha McGriff directly

Sign in to view full profile

AINisha's public profile badge

Include this LinkedIn profile on other websites

AINisha McGriff

ACCOUNTS RECEIVABLES at T FIORE DEMOLITION

ACCOUNTS RECEIVABLES at T FIORE DEMOLITION

View profile



View profile badges

Join now

Sign in

AINisha McGriff

Brand Policy

Community Guidelines

Guest Controls

Language 

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Supplemental Motion and Incorporated Memorandum in Support of Supplemental Motion Providing Confirmation of Service of the Complaint on the Respondent, dated November 21, 2019, and Attachments were each sent this day in the following manner to the addresses listed below:

One Original and One Copy, by hand delivery to:

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

One Copy, by hand delivery to:

Sara Froikin
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866


Helen S. Ferrara
Regional Judicial Officer
U.S. Environmental Protection Agency
Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

7016 1370 00013673 9181

One Copy, by Certified Mail-Return Receipt Requested, Article Number _____ to:

Theodore Fiore, President
T. Fiore Demolition, Inc.
457 Wilson Ave
Newark, NJ 07105

Date: November 22, 2019
New York, New York



Lynn Khoury
Administrative Assistant
U.S. Environmental Protection Agency
Office of Regional Counsel, Region 2

