

March 22, 2023 @ 9:56 am
USEPA – Region II
Regional Hearing Clerk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

VIA OVERNIGHT MAIL

Leo Vernovsky, President
Dimmid, Inc.
4635 Bedford Avenue
Brooklyn, New York 11235

RE: ***In the Matter of Dimmid, Inc.***
Docket No. TSCA-02-2023-9226

Dear Mr. Vernovsky:

Enclosed is a Complaint and Notice of Opportunity for Hearing (the Complaint) and supporting documents in the above-referenced proceeding against Dimmid, Inc. (Dimmid). This Complaint alleges violations of the regulations promulgated under authority of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2601 *et seq.*, as more fully set forth in the Complaint.

Dimmid has the right to a formal hearing to contest or refute any of the allegations in the Complaint and/or to raise any issues related thereto.

If Dimmid wishes to contest or refute the allegations in the Complaint and/or to raise any issues related thereto, it (either through a corporate representative or through counsel) must file an Answer within **thirty (30)** days of its receipt of the enclosed Complaint to the Regional Hearing Clerk of Environmental Protection Agency (EPA), Region 2. The Answer may be served upon the Regional Hearing Clerk in hard copy or electronically.

In hard copy:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, New York 10007-1866

Electronically:

maples.karen@epa.gov

A copy of Respondent's Answer, including any request for a hearing, must also be sent to Complainant. 40 C.F.R. § 22.15(a). As Complainant, I have designated Assistant Regional Counsel (ARC) Lee Spielmann to receive service on my behalf at spielmann.lee@epa.gov.

If Dimmid does not file an Answer within thirty (30) days of receipt of this Complaint and has not obtained a formal extension for filing an Answer from the Regional Judicial Officer of EPA, Region 2, a default order may be sought and entered against Dimmid.

Whether or not Dimmid requests a formal hearing, Dimmid may request an informal conference with EPA to discuss any issue relating to the alleged violations or any other matter set forth in this Complaint. EPA encourages all parties against whom it files a Complaint to pursue the possibility of settlement and to have an informal conference with EPA. A request for an informal conference, however, **does not** substitute for a written Answer, affect what Dimmid may choose to say in an Answer, or extend the thirty (30) days by which Dimmid must file an Answer requesting a hearing.

Enclosed is a copy of the "Consolidated Rules of Practice" (CROP), which govern this proceeding and are codified at 40 C.F.R. Part 22 (Amended May 22, 2017). CROP can also be found at <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-A/part-22?toc=1>.

For your general information, I have also enclosed a "U.S. EPA Small Business Resources Information Sheet," which may or may not apply to you.

If you have any questions or wish to schedule an informal settlement conference, please contact Assistant Regional Counsel Lee Spielmann at spielmann.lee@epa.gov or 212-637-3222.

Sincerely yours,

for

Dore F. LaPosta, Director
Enforcement and Compliance Assurance Division

Enclosures

cc: Karen Maples, Regional Hearing Clerk (w/o enclosures)