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LAWRENCE MILLER
JOHN PAUL FAIGNANT
ANTONIN I.Z. ROBBASON

MARIE PECK FABIAN
PARALEGAL

MELISSA D. FAIGNANT
LAW CLERK

July 19, 2013

Wanda Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region I
5 Post Office Square, Suite 100 (ORA18-1)
Boston, MA 02109-3912

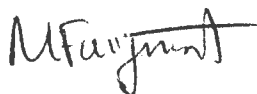
Re: Woodstock Resort Corporation, Respondent
Docket No. TSCA-01-2013-0018

Dear Ms. Santiago:

Enclosed is our firm's Notice of Appearance, along with Respondent's Answer and Request for Hearing in the above matter.

Thank you.

Sincerely,



Melissa Fagnant
Law Clerk

Enc.

cc: Maximilian Boal, Enforcement Counsel
Joanna Jerison, Legal Enforcement Manager
John Wannop

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

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In the Matter of:)	
)	ANSWER TO ADMINISTRATIVE
Woodstock Resort Corporation)	COMPLAINT
14 The Green)	AND
Woodstock, VT 05091)	REQUEST FOR HEARING
)	
Respondent.)	Docket No. TCSA-01-2013-0018

NOTICE OF APPEARANCE

Please enter the appearance of the firm of Miller Faignant & Robbason, P.C., on behalf of the Respondent, Woodstock Resort Corp., in the above-captioned matter.

DATED at the City of Rutland, County of Rutland, and State of Vermont, this 19 day of July, 2013.

MILLER FAIGNANT & ROBBASON, P.C.

By: John Paul Faignant
John Paul Faignant, Esquire
Attorney for Respondent

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

In the Matter of:)
)
Woodstock Resort Corporation) ANSWER TO ADMINISTRATIVE
14 The Green) COMPLAINT
Woodstock, VT 05091) AND
) REQUEST FOR HEARING
)
Respondent.) Docket No. TCSA-01-2013-0018

ANSWER

NOW COMES the Woodstock Resort Corporation, by and through its attorneys,
Miller, Fagnant & Robbason, P.C., and answers the Administrative Complaint as follows:

I. STATEMENT OF AUTHORITY

1. Admitted.

II. NATURE OF THE ACTION

2. The allegations of Paragraph 2 are admitted, except to the extent that such admission suggests the Woodstock Resort Corporation violated the sections as cited, which is denied as stated at this time for lack of sufficient information upon which to base a different answer.

III. STATUTORY AND REGULATORY BASIS

3. Admitted.
4. Admitted.
5. Admitted.

6. Admitted.

7. Admitted.

8. Admitted.

9. Admitted.

10. Admitted.

IV. GENERAL ALLEGATIONS

11. Admitted.

12. Admitted.

13. Admitted.

14. Admitted.

15. Denied as stated.

16. Denied as stated.

17. Admitted.

18. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

19. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

20. Admitted.

21. Denied as stated at this time.

22. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

V. VIOLATIONS

COUNT I: Failure to Provide Lead Hazard Information Pamphlets

23. Respondent re-alleges Paragraphs 1-22.
24. Admitted.
25. Denied as stated for lack of sufficient information upon which to base a different answer.
26. Denied as stated for lack of sufficient information upon which to base a different answer.
27. Denied as stated for lack of sufficient information upon which to base a different answer.
28. Denied as stated.

COUNT II: Failure to Disclose the Presence of Any Known Lead-Based Paint/Lead-Based Paint Hazards and/or to Provide Available Reports

29. Respondent re-alleges Paragraphs 1-28.
30. Admitted.
31. Admitted.
32. Admitted.
33. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.
34. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

35. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

36. Denied as stated.

COUNT III: Failure to Include Lead Warning Statement

37. Respondent re-alleges Paragraphs 1-36.

38. Admitted.

39. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

40. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

41. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

42. Denied as stated.

COUNT IV: Failure to Include a Statement by the Lessor Disclosing the Presence of Known Lead-Based Paint or Hazards, or Lack of Knowledge Thereof

43. Respondent re-alleges Paragraphs 1-42.

44. Admitted.

45. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

46. Denied as stated.

COUNT V: Failure to Include a List of Any Records Available to the Lessor that pertain to
Lead-Based Paint or Hazards in the Housing, or the Failure to Indicate That No Such
Records Exist

47. Respondent re-alleges Paragraphs 1-46.
48. Admitted.
49. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.
50. Denied as stated at this time, for lack of sufficient information upon which to base a different answer.

VI. PROPOSED CIVIL PENALTY

51. It is admitted that the EPA seeks total civil penalty of \$56,000.00 against Respondent. The remainder of the allegations of Paragraph 51 are denied as stated at this time, for lack of sufficient information upon which to base a different answer.
52. Admitted.
53. Denied as stated.
- 54-58. The allegations of Paragraphs 54-58 inclusive do not require a response, however to the extent an answer is deemed necessary they are denied as stated and the Complainant is left to its proof.

VII: QUICK RESOLUTION

59. Admitted.

60. Admitted.

VII. NOTICE OF OPPORTUNITY TO REQUEST A HEARING

61. The allegations of Paragraph 61 do not require a response, however to the extent an answer is deemed necessary, the Respondent requests a hearing.

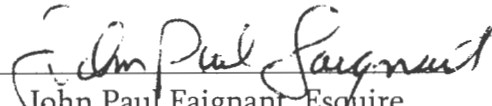
XI. INFORMAL SETTLEMENT CONFERENCE

62. The allegations of Paragraph 62 do not require a response, however to the extent an answer is deemed necessary, the Respondent has requested a hearing and will be requesting an informal settlement conference.

Respondent reserves its right to supplement this Answer pending its efforts to retrieve necessary records.

DATED at the City of Rutland, County of Rutland, and State of Vermont, this 19
day of July, 2013.

MILLER FAIGNANT & ROBBASON, P.C.

By: 
John Paul Faignant, Esquire
Attorney for Respondent

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

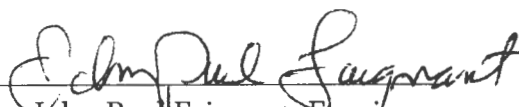
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Woodstock, VT 05091) AND
) REQUEST FOR HEARING
)
Respondent.) Docket No. TCSA-01-2013-0018

REQUEST FOR HEARING

NOW COMES the Respondent, Woodstock Resort Corporation, and hereby requests a hearing on the Complaint on the above captioned matter.

DATED at the City of Rutland, County of Rutland, and State of Vermont, this 17
day of July, 2013.

MILLER FAIGNANT & ROBBASON, P.C.

By: 
John Paul Faignant, Esquire
Attorney for Respondent