

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the Matter of     )

Norco Corporation   )   Docket No. CAA-09-2024-0025

June 1, 2024

RESPONDENT'S REPLY IS SUPPORT OF MOTION TO DISMISS

The complaint does not set forth any direct or indirect allegations that indicate any violations or wrongdoing by the respondent. There is no prima facie case set forth in the supporting documents provided. Respondent has stated many times that the data being used is faulty. Respondent has furnished many documents that demonstrate the data is faulty. From December 2022 to present there have been 60 e mails from Daniel Haskell, 20 from Jacob Finkle, and 5 or more from Mark Sims asking questions. There are many more prior to December 2022 that I no longer have. I asked complainant for copies, but they were not furnished. All these emails were answered. There is no lack of data that could have been used.

There is no question the data presented by the complainant is flawed. Much more data has been furnished but not used.

Complainant has listed 77 violations. Of these 77 named one hasn't worked here since 2010, Kenneth Roquemore, Respondents exhibit (Rx4) another, Four Way Trucking, hauled one load from Florida to the Midwest in 2004 Respondents exhibit (Rx5) These are two examples to show the flawed nature of the data

Complainant refers to the August 10, 2023 submission as the basis for his findings, however that is the same document as the submission of July 13, 2021, with a further explanation of the vehicles listed. This was done at the request of the complainant. Complainant refers to the certification issued with each as proof of accuracy. The complainant would not accept anything unless accompanied by a certificate of accuracy. As it became apparent that the data might be flawed, the complainant was notified. Respondents exhibit (Rx5)

The worksheet attached to the Motion to Dismiss, Respondents (Rx2) is flawed and should be ignored. Since this is the basis of Complainant's petition Respondent respectfully requests that the complaint be dismissed.

Thank You



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