Message

From: Scott Rosmarin [rosmarin57@optonline.net]
Sent: 1/29/2018 7:50:08 PM
To: Hayden, Melva [Hayden.Melva@epa.gov]
Subject: Re: I/M/O Camp Rosmarin, Inc. and Rosmarins Land Holdings, LLC Docket No. TSCA-02-2017-9282

Thank you!

Sent from my iPhone

On Jan 29, 2018, at 2:34 PM, Hayden, Melva <Hayden.Melva@epa.gov> wrote:

Dear Mr. Scott Rosmarin, et al

This email communication is sent in accordance with the Regional Judicial Officer's (RJO) request that I respond to you regarding your request for a 30-day extension of time to file an Answer in this matter in order to give the parties time to finalize the Consent Agreement and Final Order (CA/FO).

My apologies for not contacting you earlier. As you may recall during the parties settlement conferences, I indicated that EPA could remove Rosmarins Land Holdings, LLC (RLH) as a Respondent by documenting in the CA/FO that after EPA issued the Complaint in this matter, EPA received new documentary evidence that RLH was not responsible for the day to day operations of Camp Rosmarin and does not own the structures that are the subject of this enforcement action, but only owns the land, and therefore, EPA's Complainant can determine that Camp Rosmarin is the appropriate Respondent in this matter.

However, during review of the CA/FO, it was brought to my attention that TSCA matters are subject to the Civil Rules of Procedure (CROP) found at 40 C.F.R. Part 22. Pursuant to the CROP, EPA must first amend the complaint in order to remove a Respondent from the complaint. Please be advised that I am now in the process of amending the complaint. But, you are not required to take any action to amend the complaint.

This is the reason for the delay in putting the CA/FO into internal concurrence before sending it out to you for review and signature. Since this delay is due to EPA's requirement to adhere to the CROP, EPA will inform the RJO that it has no objection to your request for an additional 30-day extension. Again, my apologies for not informing you of this new development in the case sooner. Thank you for your continued cooperation as the parties work to finalize the CA/FO toward settlement of this matter.

Sincerely,

Melva J. Hayden

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