

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

_____)	
)	
In re:)	
)	
Envirosafe Services)	RCRA Appeal No. 98-6
of Ohio, Inc.)	
)	
Permit No. OHD 045 243 706)	
_____)	

ORDER DISMISSING PETITION FOR REVIEW

On October 30, 1998, Petitioner, Envirosafe Services of Ohio, Inc. ("Petitioner"), filed a petition for review of a permit decision by U.S. EPA Region 5 ("Region") modifying the Resource Conservation and Recovery Act permit governing operation of ESOI's hazardous waste treatment, storage and disposal facility in Oregon, Ohio. On April 24, 2000, at the request of the parties, the Environmental Appeals Board ("Board") ordered a partial dismissal of the petition for review and stayed these proceedings to allow continued settlement negotiations by the parties to resolve the outstanding issues. See Order Dismissing Petitioner for Review in Part and Staying Further Proceedings (EAB, April 24, 2000).

On October 19, 2000, Petitioner filed a Notice of Withdrawal of Appeal, requesting that the Board dismiss Petitioner's appeal in its entirety. Petitioner notified the Board that it has reached a settlement with the Region regarding all issues in this matter, and the terms of such settlement are embodied in a Consent Agreement filed before the Board on April 7, 2000. Petitioner asserts the final element set forth in the Consent Agreement is Petitioner's withdrawal of this petition for review.

Accordingly, Petitioner's dismissal request is granted. The petition for review is hereby DISMISSED, with prejudice, in its entirety.

So ordered.

ENVIRONMENTAL APPEALS BOARD

By: _____/s/
Kathie A. Stein
Environmental Appeals Judge

Dated: 10/25/00

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the Matter of Envirosafe Services of Ohio, Inc. RCRA Appeal No. 98-6, were sent to the following persons in the manner indicated:

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Dated: 10/26/00

_____/s/_____
Annette Duncan
Secretary