

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

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JAN 31 2019

In re:)	ENVIRONMENTAL APPEALS BOARD
Titan Tire Corporation & Dico, Inc.)	Petition No.
(Southern Iowa Mechanical Superfund Site))	CERCLA § 106(b) 10-01
)	
Petitioners.)	
)	
CERCLA Administrative Order)	
No. CERCLA-07-2009-0006)	

JOINT FEBRUARY 1, 2018 STATUS REPORT

Petitioners Titan Tire Corporation and Dico, Inc. ("Petitioners"), by and through their attorneys, Thomas D. Lupo and Michael F. Iasparro of Hinshaw & Culbertson LLP, and Respondent, U.S. Environmental Protection Agency, by and through its attorney, Kristen Nazar, Attorney, Office of Regional Counsel, U.S. Environmental Protection Agency Region 7, submit this Joint February 1, 2019 Status Report pursuant to the Environmental Appeals Board's ("EAB") December 5, 2017 Order Continuing Stay of Proceedings.

The parties believe this matter should continue to be stayed pending resolution of the *United States of America v. Dico, Inc. and Titan Tire Corporation* matter in the United States Court of Appeals for the Eighth Circuit, Case No. 17-3462. Briefs have been submitted and oral argument occurred on January 15, 2019. The parties are awaiting a decision from the 8th Circuit.

Dated: January 31, 2019

By: /s/Thomas D. Lupo
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CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2019, the foregoing was filed with the Environmental Appeals Board and on January 31, 2019 has been served by U.S. Mail on counsel of record.

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