



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

2008 DEC 11 PM 2:16

FILED IN CASE NO. 08-0028

IN THE MATTER OF: ) DOCKET NO.: FIFRA-08-2008-0028
PIPESTONE PRODUCTS, ) ORDER GRANTING MOTION
EPA Est. No. 003536-SD-0001 ) TO WITHDRAW COMPLAINT
Yankton, SD ) WITHOUT PREJUDICE
Respondent )

Pursuant to 40 C.F.R., §22.14(d) of EPA's Consolidated Rules of Practice, on December 11, 2008, the Complainant filed a "Motion to Withdraw Penalty Complaint and Notice of Opportunity for Hearing" in the matter of PIPESTONE PRODUCTS. The Complainant states in its motion that the Respondent has corrected the technical violation by producing the correct report in its proper form. Respondent has not filed an Answer in this matter. Therefore, withdrawal of the Complaint without Prejudice is appropriate.

"Motion to Withdraw Penalty Complaint and Notice of Opportunity for Hearing" against Pipestone Products is hereby GRANTED.

SO ORDERED THIS 11th day of December, 2008

[Signature]
Elyana R. Sutin
Regional Judicial Officer

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER GRANTING MOTION TO WITHDRAW COMPLAINT WITHOUT PREJUDICE** in the matter of **PIPELINE PRODUCTS; DOCKET NO.: FIFRA-08-2008-0028** was filed with the Regional Hearing Clerk was filed on December 11, 2008.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Eduardo Quintana, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt requested on December 11, 2008, to:

Craig Swensen, President  
Pipestone Products Co., Inc.  
303 West 31<sup>st</sup> Street  
P. O. Box 84  
Yankton, SD 57078

And

Vince Tramp  
301 W. 31<sup>st</sup> Street, Apartment #201  
Yankton, SD 57078

December 11, 2008

  
Tina Artemis  
Paralegal/Regional Hearing Clerk

