



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2007 DEC 13 PM 1:44

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| IN THE MATTER OF: |) | DOCKET NO.: SDWA-08-2007-0073 |
| |) | |
| SCOTT HEIM, d/b/a |) | ORDER GRANTING MOTION |
| YANKEE FOURTEEN AVIATION |) | TO WITHDRAW COMPLAINT |
| |) | WITHOUT PREJUDICE |
| Respondent |) | |
| |) | |

Pursuant to 40 C.F.R., §22.14(d) of EPA's Consolidated Rules of Practice, on December 11, 2007, the Complainant filed a "Motion to Withdraw Penalty Complaint and Notice of Opportunity for Hearing" in the matter of Scott Heim d/b/a Yankee Fourteen Aviation. The other Respondent named in the Initial Complaint "Great Planes Aviation Inc." has signed a fully executed Consent Agreement on November 13, 2007 with the approval of this court. A Final Order was issued on November 13, 2007. The parties agree that the November 13, 2007 Consent Agreement is a satisfactory settlement in this matter. Therefore, Respondent Scott Heim d/b/a Yankee Fourteen Aviation is removed from the Complaint pursuant to 40 C.F.R. §22.14(a). The Complaint however is not withdrawn from this matter.

For reasons stated above the "Motion to Withdraw Penalty Complaint and Notice of Opportunity for Hearing" against Scott Heim d/b/a Yankee Fourteen Aviation is hereby **GRANTED**.

SO ORDERED THIS 13th day of December, 2007



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 **SCOTT HEIM d/b/a YANKEE FOURTEEN AVIATION; DOCKET NO.: SDWA-08-2007-0073** was filed with the Regional Hearing Clerk was filed on December 13, 2007.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Jim Epeprs, 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 13, 2007, to:

Scott Heim
27091 Misty Brook Place
Harrisburg, SD 57032

Hand delivered to:

Honorable Elyana R. Sutin
Regional Judicial Officer
U. S. Environmental Protection Agency – Region 8
1595 Wynkoop Street (8RC)
Denver, CO 80202-1129

December 13, 2007


Tina Artemis
Paralegal/Regional Hearing Clerk

