



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

JUL - 5 2011

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John J. Zaharchuk, Principal  
Summit Realty Advisors, LLC  
8 Devonshires Court  
Blue Bell, Pennsylvania 19422

Harry K. Carlson, President  
H. Carlson & Sons  
7201 Black Horse Pike  
Mays Landing, New Jersey

Leon Ray Martin, President  
Leon Ray Martin Excavating Inc.  
1435 Dry Tavern Road  
Denver, Pennsylvania 17517

**RE: Withdrawal of Administrative Penalty Complaint, without prejudice  
The CVS Project, Docket No. CAA-3-2011-0191**

Dear Messrs. Zaharchuk, Carlson, and Martin:

On May 25, 2011, the United States Environmental Protection Agency ("EPA"), Region 3, filed a Complaint and Notice of Opportunity for Hearing ("Complaint") against H. Carlson & Sons, Leon Ray Martin Excavating Inc., and Summit Realty Advisors, LLC (collectively, "Respondents") under Section 112 of the Clean Air Act ("CAA" or "the Act"), 42 U.S.C. § 7412 and was based on an alleged violation of the asbestos National Emission Standard for Hazardous Air Pollutants ("asbestos NESHAP") regulations.

By and through this letter, EPA hereby withdraws the Complaint, without prejudice. By withdrawing this Complaint, each Respondent is released from the duty to file an Answer in this matter. By withdrawing this Complaint, without prejudice, EPA reserves the right to re-file the Complaint, at a later date; however, at this time, EPA makes no determination as to whether it will elect to do such in the future.

If you have any questions regarding this Withdrawal of the Complaint, without prejudice, you may contact the attorney assigned to this case:

*L. Juy*  
*RHC*