

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
BEFORE THE ADMINISTRATOR

FILED
2012 OCT 12 PM 3:01
REGIONAL HEARING CLERK
EPA REGION VI

IN THE MATTER OF:

TM CHEMICALS LIMITED
PARTNERSHIP

HARRIS COUNTY, TEXAS

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EPA DOCKET NO.
RCRA-06-2012-0944

NOTICE OF WITHDRAWAL OF
COMPLAINT WITHOUT PREJUDICE

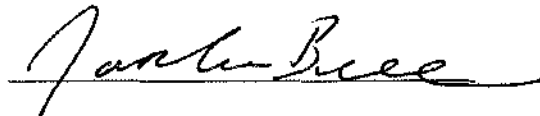
1. Complainant, the Director of the Compliance Assurance and Enforcement Division of the U.S. Environmental Protection Agency, Region 6, provides notice of withdrawal without prejudice of the complaint filed on September 28, 2012 in this matter, as follows:

2. 40 CFR § 22.14(d) allows a complainant to withdraw its complaint, or any part thereof, without prejudice one time before the answer has been filed.

3. On September 28, 2012 Complainant filed its Administrative Complaint and Notice of Opportunity for a Hearing (the "Complaint") under Section 3008(a) of the Resource, Conservation and Recovery Act (the "Act" or "RCRA"), 42 U.S.C. § 6928(a).

4. Respondent has not filed an answer to the Complaint.

5. Pursuant to 40 CFR § 22.14(d), Complainant hereby withdraws the Complaint without prejudice.



Jonathan Bull
Assistant Regional Counsel
U.S. EPA Region 6
Attorney for Complainant

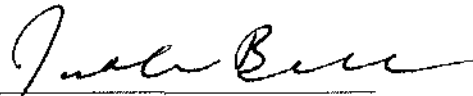
CERTIFICATE OF SERVICE

I hereby certify that the original and a copy of the foregoing Notice of Withdrawal of Complaint Without Prejudice (the "Notice of Withdrawal") was hand-delivered to the Regional Hearing Clerk, U.S. EPA - Region 6, 1445 Ross Avenue, Suite 1200, Wells Fargo Bank Tower, Dallas, Texas 75202-2733, and that a true and correct copy of the Notice of Withdrawal was placed in the United States Mail, to the following by the method indicated:

CERTIFIED MAIL, RETURN RECEIPT REQUESTED: # 7004 1160 0003 0357
2269

Donna Ratliff
Registered Agent for TM Chemicals Limited Partnership
2525 Battleground Road
Deer Park, Texas 77536

Date: October 13, 2012


U.S. EPA, Region 6
Dallas, Texas