

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

!RECEIVED

APR 21 2009

Regional Hearing Clerk
EPA Region 6

In the Matter of:) Docket No. SDWA-06-2009-1203
)
Sleepy Hollow Mobile Home Park)
)
Respondent)
)

NOTICE TO WITHDRAW COMPLAINT

NOW COMES Complainant, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency, Region 6, through his attorney, and pursuant to 40 C.F.R. § 22.14(d) respectfully states as follows:

I. This proceeding for the assessment of a civil penalty was instituted pursuant to Section 1414(g)(3) of the Safe Drinking Water Act (herein "the Act"), 42 U.S.C. § 300g-3(g)(3) by the issuance of a Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") on January 21, 2009.

2. The Complaint was served upon Kent Hamilton d/b/a Sleepy Hollow Mobile Home Park located in Ada, Oklahoma (hereinafter the "Respondent") by the Complainant, the Director of the Compliance Assistance and Enforcement Division, United States Environmental Protection Agency, Region 6 (hereinafter the "Complainant" or "EPA").

3. Respondent had not filed an Answer as of the filing of this Notice.

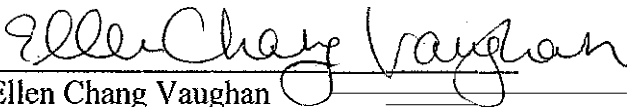
4. Under 40 C.F.R. § 22.14(d), after the filing of an answer, the Complainant may withdraw the Complaint without prejudice one time before the answer has been filed.

5. The Respondent has hired a new contractor to run the public water system and is currently in compliance.

6. No party will be prejudiced by the filing of this Notice to Withdraw the Complaint.

THEREFORE, in the interests of justice and pursuant to 40 C.F.R. § 22.14(d),
Complainant requests that the Court grant Complainant's Notice to Withdraw the Complaint
without prejudice.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, reading "Ellen Chang Vaughan", is written over a horizontal line.

Ellen Chang Vaughan
Assistant Regional Counsel (6RC-EW)
U.S. Environmental Protection
Agency, Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733
Tel.: (214) 665-7328
COUNSEL FOR COMPLAINANT

CERTIFICATE OF SERVICE

I certify that the foregoing NOTICE TO WITHDRAW THE COMPLAINT was hand-delivered to the Regional Hearing Clerk, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and was sent by certified mail, return receipt requested, on

April 21,

Mr. Kent Hamilton
Sleepy Hollow Mobile Home Park
3300 North Mississippi
Ada, OK 74820

Elle Chapp Vaughan