



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
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2012 JAN 17 PM 3:23

FILED
EPA REGION VIII
FRANCOIS CLERK

IN THE MATTER OF:

HOLCIM (US), INC.
3500 Highway 120
Florence, CO 81226

Respondent

)
) DOCKET NO.: CWA-08-2011-0035
)
) ORDER GRANTING MOTION
) TO WITHDRAW COMPLAINT
) WITHOUT PREJUDICE
)
)
)

On January 17, 2012, pursuant to 40 C.F.R. §22.14(d) of EPA's Consolidated Rules of Practice, the Complainant filed a Motion to Withdraw Complaint Without Prejudice in the matter of **HOLCIM (US), INC.** Complainant may withdraw the complaint without prejudice before the answer has been filed. An answer has not been filed in this matter. Furthermore, Complainant and the Respondent have executed and intend to file a Combined Complaint and Consent Agreement pursuant to 40 C.F.R. §§ 2.13 and 22.18(b)(2) and (3) to address the violations alleged in the original complaint.

The Motion to Withdraw the Administrative Complaint is hereby **GRANTED.**

SO ORDERED THIS 17th day of January, 2012

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, **HOLCIM (US), INC.; DOCKET NO.: CWA-08-2011-0035** was filed with the Regional Hearing Clerk was filed on January 17, 2012.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Wendy I. Silver, Senior 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 return receipt requested on January 17, 2012, to:

Paul Phillips, Esq.
Chris Colclasure, Esq.
Holland and Hart LLP.
555 17th Street, Suite 3200
Denver, CO 80202

January 17, 2012


Tina Artemis
Paralegal/Regional Hearing Clerk

