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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

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Philadelphia, Pennsylvania 19103-2029

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In the Matter of:	:	
Ross Transport Co., Inc. and Arnold Steinman,	:	U.S. EPA Docket No. RCRA-03-2010-0268
	:	
Respondents.	:	Proceeding under Section 9006 of the
4220 Almond Street	:	Resource Conservation and Recovery Act,
Philadelphia, PA 19137,	:	as amended, 42 U.S.C. § 6991e
	:	
Facility.	:	

ORDER DISMISSING COUNT II OF THE COMPLAINT WITH PREJUDICE

This matter was opened upon the Motion of Counsel for Complainant, filed on June 12, 2014, for an Order dismissing Count II of the Complaint with prejudice.

The Complaint in the above-captioned matter was filed on August 3, 2010 and served upon the Respondents. Neither Respondent filed an Answer to the Complaint. On November 9, 2010, Complainant filed a Motion for a Default Order against Respondents pursuant to 40 C.F.R. § 22.17(b). During the pendency of the Motion for Default, Complainant obtained information indicating that the Respondents had removed the underground storage tank that was the subject of Count II of the Complaint and had remediated contaminated media associated with the tank. On December 31, 2013, Region III's Regional Judicial Officer/Presiding Officer issued an Initial Decision and Default Order as to Counts I and III of the Complaint. Following a sua sponte review, the Environmental Appeals Board on April 10, 2014 issued a Final Order adopting the Default Order that was previously issued by Region III's Regional Judicial Officer/Presiding

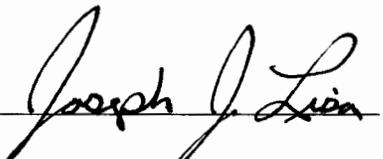
Officer.

WHEREFORE, having considered the papers submitted and for good cause shown, it is hereby:

ORDERED that Count II of the Complaint is DISMISSED WITH PREJUDICE.

SO ORDERED.

May 12, 2015
Date



Joseph J. Lisa
Regional Judicial Officer/Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that copies of foregoing Order Dismissing Count II of the Complaint
In re Ross Transport Co., Inc. and Arnold Steinman, RCRA (9006) were sent to the following:

Certified Mail to:

Arnold Steinman
c/o Ross Transport Co., Inc.
4220 Almond Street
Philadelphia, PA 19137

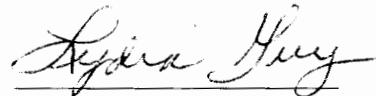
Arnold Steinman
c/o Ross Transport Co., Inc.
518 Parlin St.
Philadelphia, PA 19116

Hand Delivered to:

Joyce Howell (3RC30)
Office of Regional Counsel
U.S. EPA Region 3
1650 Arch Street
Philadelphia, PA 19130

Lydia Guy (3RC00)
Regional Hearing Clerk
U.S. EPA Region 3
1650 Arch Street
Philadelphia, PA 19130

Dated: MAY 12 2015



Lydia Guy
Regional Hearing Clerk