

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII

901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

UNITED STATES
ENVIRONMENTAL
PROTECTION AGENCY - *KR*
REGION 7
2012 SEP 28 *AM/PM* 8:23

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
ARMBRUST REALTY RENTALS)
OMAHA, NEBRASKA)
)
)
Respondent)

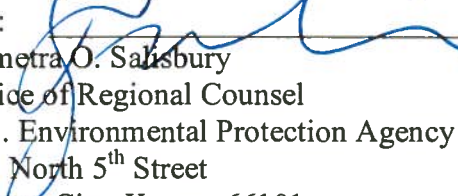
Docket No. TSCA-07-2008-0022

COMPLAINANT'S MOTION TO WITHDRAW COMPLAINT AND SET ASIDE A
DEFAULT ORDER

COMES NOW the United States Environmental Protection Agency, Complainant, and pursuant to Rule 22.14(d) and 22.27(c)(3) of the Consolidated Rules of Practice, 40 C.F.R. § 22.14(d) and 22.27(c)(3), Complainant hereby moves to withdraw the Complaint in this matter and set aside the Initial Decision and Default Order issued on January 3, 2012. Respondent is unable to accept service of the Initial Decision and Default Order.

Respectfully submitted,

U.S. ENVIRONMENTAL PROTECTION AGENCY

BY: 
Demetra O. Salisbury
Office of Regional Counsel
U.S. Environmental Protection Agency
901 North 5th Street
Kansas City, Kansas 66101

ATTORNEY FOR COMPLAINANT

CERTIFICATE OF SERVICE

I certify that on the date noted below I hand delivered the original and one copy of this Complaint and Notice of Opportunity for Hearing to the Regional Hearing Clerk, EPA, 901 North 5th Street, Kansas City, Kansas 66101.

I further certify that on the date noted below I sent by certified mail, return receipt requested, a copy of the signed original Motion to Withdraw Complaint and Set Aside the Default Order to the following:

Mr. Herbert J. Armbrust
Armbrust Realty Rentals
3163 Leavenworth Street
Omaha, Nebraska 68105

Mr. Herbert J. Armbrust
3728 Paddock Road
Omaha, Nebraska 68124

09-28-12
Date

John D. Bayle