

**ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

In re:	)	
	)	
Titan Tire Corporation & Dico, Inc.	)	
(Southern Iowa Mechanical Superfund Site)	)	CERCLA § 106(b) Petition No. 10-01
	)	
CERCLA Administrative Order	)	
No. CERCLA-07-2009-0006	)	

**ORDER GRANTING MOTION FOR VOLUNTARY  
WITHDRAWAL AND DISMISSING PETITION**

On February 5, 2021, Titan Tire Corporation and Dico, Inc., filed a motion to withdraw their petition for reimbursement in the above-captioned matter. Their petition has been pending and stayed before the Environmental Appeals Board while litigation on overlapping liability issues has proceeded in the federal courts. In 2020, Titan Tire and Dico reached a settlement with the U.S. Environmental Protection Agency, Region 7. Petitioners represent that on February 1, 2021, the U.S. District Court for the Southern District of Iowa in *United States v. Dico*, 4:10-CV-00503 (S.D. Iowa), entered a consent decree resolving the claims in the petition. Petitioners further represent that, if their motion is granted, they will not seek to refile their petition.

Having considered Titan Tire and Dico’s motion and the representations therein, the Board **GRANTS** the motion and **DISMISSES WITH PREJUDICE** their petition for reimbursement.

So ordered.

Dated: Feb 10, 2021

**ENVIRONMENTAL APPEALS BOARD**

By: *Kathie A. Stein*

Kathie A. Stein  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**


I hereby certify that copies of the foregoing **Order Granting Motion for Voluntary Withdrawal and Dismissing Petition** in the matter of *Titan Tire Corp. & Dico, Inc. (Southern Iowa Mechanical Site)*, CERCLA § 106(b) Petition No. 10-01, were sent to the following persons in the manner indicated:

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Date: Feb 10, 2021

  
Eurika Durr  
Clerk of the Board