

**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**

On January 15, 2020, the parties to the above-captioned appeal filed a joint status report with the Environmental Appeals Board. They stated that they had reached a settlement agreement in principle in proceedings before the federal courts in Iowa that are parallel to the disputes raised in this appeal. *See* Joint Status Report at 1. The parties reported that negotiations regarding settlement details were ongoing, and they requested that the Board continue the stay of this matter to allow them to finalize a consent decree. *Id.* They stated that they would notify the Board within seven days of the lodging of the consent decree with the U.S. District Court for the Southern District of Iowa. *Id.*


Three months have passed since the parties last updated the Board about the status of this matter. The Board’s stay of its proceedings has continued during that time and will remain in place unless otherwise explicitly lifted by Board order. To manage its docket efficiently, the Board requires an update. Accordingly, the parties are directed to submit to the Board a status report on or before **Wednesday, May 6, 2020**, advising the Board of the status of the settlement process in Iowa and recommending next steps for orderly resolution of the parallel appeal

pending before the Board. Such steps should include, but not be limited to, periodic status updates to the Board until such time as this matter is resolved.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Date: **Apr 21 2020**

By:   
Kathie A. Stein  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order** 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:

### **By Electronic Mail:**

Thomas D. Lupo, Esq.  
Michael F. Iasparro, Esq.  
Hinshaw & Culbertson LLP  
222 North LaSalle Street, Suite 300  
Chicago, Illinois 60601  
telephone: (312) 704-3000  
e-mail: [tlupo@hinshawlaw.com](mailto:tlupo@hinshawlaw.com)  
[miasparro@hinshawlaw.com](mailto:miasparro@hinshawlaw.com)

Katherine E. Gulley, Esq.  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219  
telephone: (913) 551-7880  
e-mail: [gulley.katherine@epa.gov](mailto:gulley.katherine@epa.gov)

Date: **Apr 21 2020**



Eurika Durr  
Clerk of the Board