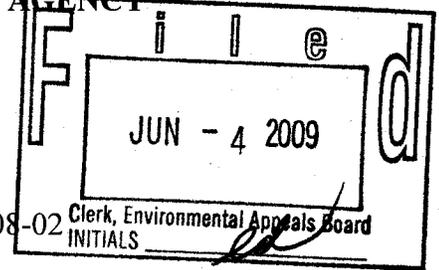


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re:

Higman Barge Lines, Inc.

CERCLA 106(b) Appeal No. 08-02

**ORDER DISMISSING PETITION FOR REIMBURSEMENT**

By unopposed motion filed with the Board on June 3, 2009, the petitioner in the above-captioned matter, Higman Barge Lines, Inc. ("Higman") states that it and U.S. EPA Region 6 ("Region") have now "complied with their obligations pursuant to a Consent Agreement filed herein by the EPA on or about April 10, 2009." Unopposed Motion to Withdraw and Dismiss Petition for Reimbursement (June 3, 2009) at 1 ("Motion"). The Motion requests that the Board issue an order dismissing Higman's petition for reimbursement with prejudice in light of the Consent Agreement.

Because this matter has been resolved to the satisfaction of Higman and the Region, the Motion is granted. Higman's petition for reimbursement is hereby dismissed with prejudice.

So ordered.

Dated:

*June 4, 2009*

ENVIRONMENTAL APPEALS BOARD

By:

*Anna L. Wolgast*  
Anna L. Wolgast  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Dismissing Petition for Reimbursement in the matter of Higman Barge Lines, Inc., CERCLA 106(b) Appeal No. 08-02, were sent to the following persons in the manner indicated:

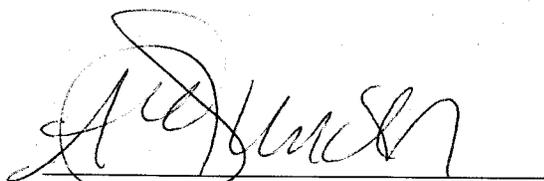
**Certified Mail  
and Facsimile:**

Harless R. Benthul  
Attorney at Law  
Lyric Center  
440 Louisiana, Suite 600  
Houston, TX 77002  
Fax # (713) 223-0026

**Pouch Mail  
and Facsimile:**

James L. Turner  
Senior Attorney  
Office of Regional Counsel  
U.S. EPA Reion 6  
1445 Ross Ave.  
Houston, TX 75202  
Fax # (214) 665-6460

Dated: JUN - 4 2009



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Annette Duncan  
Secretary