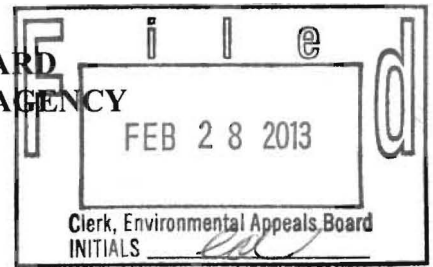


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_)  
In re: \_\_\_\_\_)  
Safe Environment Corporation of Indiana \_\_\_\_\_)  
(Cleveland Trencher Site) \_\_\_\_\_)  
\_\_\_\_\_)

CERCLA 106(b) Petition No. 12-02

ORDER DISMISSING PETITION FOR REIMBURSEMENT

On February 26, 2013, the petitioner in the above-captioned matter, Safe Environment Corporation of Indiana, with the concurrence of counsel for U.S. Environmental Protection Agency Region 5, moved for dismissal with prejudice of its Petition for Reimbursement of Costs, Fees and Other Expenses filed with the Environmental Appeals Board. Petitioner states that it "has received payment from EPA relative to this matter and all claims have been fully resolved." Stipulation of Dismissal with Prejudice, at 1 (Feb. 26, 2013).

Under these circumstances, the above-captioned petition for reimbursement is hereby dismissed with prejudice.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: *February 28, 2013*

By: *Leslye M. Fraser*  
\_\_\_\_\_  
Leslye M. Fraser  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Reimbursement in the matter of *Safe Environment Corporation of Indiana (Cleveland Trencher Site)*, CERCLA 106(b) Petition No. 12-02, were sent to the following persons in the manner indicated:

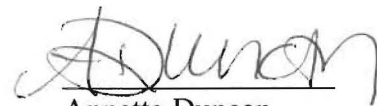
**By Facsimile and First Class Mail:**

Audrey K. Bentz  
Janik LLP  
9200 South Hills Boulevard  
Suite 300  
Cleveland, OH 44147  
Fax. # (440) 838-7601

**By Facsimile and Pouch Mail:**

Kevin Chow  
Associate Regional Counsel (C-14J)  
U.S. EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590  
Fax # (312) 408-2233

Dated: FEB 28 2013

  
Annette Duncan  
Secretary