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ENVIR. APPEALS BOARD
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February 21, 2013

Clerk of Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

**Re: Safe Environment Corporation of Indiana
EAB Petition No. CERCLA 106(b) 12-02
Janik LLP No. 929-8**

Dear Sir/Madam:

Enclosed please find the original executed Stipulation of Dismissal With Prejudice in the above captioned matter.

If you should have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

Audrey K. Bentz

AKB/cmw
Enclosure

cc: Kevin Chow

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ENVIR. APPEALS BOARD

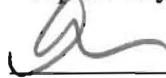
**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

_____))
In re:))
))
Safe Environmental Corporation of Indiana) CERCLA 106(b) Petition No. 12-02
(Cleveland Trencher Site)))
_____))

STIPULATION OF DISMISSAL WITH PREJUDICE

Petitioner Safe Environmental Corporation of Indiana ("Petitioner"), by and through Counsel, and by agreement with counsel for the U.S. Environmental Protection Agency ("EPA"), hereby respectfully moves the Environmental Appeals Board of the United States Environmental Protection Agency to dismiss, with prejudice, Petitioner's Petition for Reimbursement of Costs, Fees and Other Expenses ("Petition") pursuant to Section 106(b)(2)(A) and (C) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. § 9606(b)(2)(A) and (C). The reason for dismissal being that Petitioner has receiving payment from the EPA relative to this matter and all claims have been fully resolved. As part of this dismissal, each party is to bear its own costs.

Respectfully submitted,



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Janik, LLP
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440.838.7600 Phone
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Attorney for Petitioner Safe Environmental
Corporation of Indiana

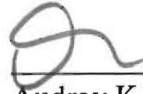
By Agreement:
/s/ Kevin Chow
Attorney for U.S. Environmental Protection Agency

{00563536; 1; 0929-0008}

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by U.S. on the 21st day of February, 2013 to:

Kevin Chow
Associate Regional Counsel
United States Environmental Protection
Agency - Region 5
77 West Jackson Boulevard, C-14J
Chicago, IL 60604-3590



Audrey K. Bentz
Attorney for Petitioner