

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

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ENVIRONMENTAL APPEALS BOARD

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)	

U.S. ENVIRONMENTAL PROTECTION AGENCY STATUS REPORT

The Respondent, Region 7 of the U.S. Environmental Protection Agency (“EPA”), by and through its Office of Regional Counsel, submits this status report pursuant to the Environmental Appeals Board’s (“EAB”) April 27, 2016 Order Continuing Stay of Proceedings. In the April 27, 2016 Order, the EAB directed the parties to file a status report (jointly or separately) beginning October 1, 2016, and continuing every three months (i.e., on or around January 1, April 1, July 1, October 1 of each year) advising the Board of the status of District Court litigation.

A bench trial began on Monday, April 3, 2017, through Thursday, April 6, 2017, before Senior U.S. District Court Judge Robert W. Pratt for the Southern District of Iowa, Central Division. A ruling was issued on September 5, 2017. The District Court found that Dico and Titan Tire arranged for disposal, are jointly and severally liable for the U.S.’s response costs (in excess of \$5.4M), issued a declaratory judgment as to future response costs, and punitive damages equal to the U.S.’s response costs, \$5.4M.

Dico and Titan Tire have 60 days after entry of the judgment or order appealed from to appeal.

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Dated this 25th day of September 2017.

Respectively Submitted,

Kristen Nazar FOR

By: /s/ Kristen Nazar

Kristen Nazar
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