

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

In the Matter of:)	
)	
Bickford, Inc.)	TSCA Appeal No. 95-7
)	
Docket No. TSCA-V-C-6052-92)	

ORDER DISMISSING APPEAL

On November 3, 1997, U.S. EPA Region V filed a Motion to Withdraw Appeal in the above captioned matter. The Region states that it "has determined that pursuit of the appeal is no longer in the best interest of the Agency" in light of the Environmental Appeals Board's decision in *In re Lazarus, Inc.*, TSCA Appeal No. 95-2 (EAB, Sept. 30, 1997), 7 E.A.D. __.

For good cause shown, the Region's Motion to Withdraw Appeal is granted and the appeal in this matter is hereby dismissed. As of the date of this Order Dismissing Appeal, the October 18, 1995 Initial Decision of Administrative Law Judge Vanderheyden shall become the final order of the Board. Respondent must remit payment for the penalty assessed in accordance with the Initial Decision.

So ordered.

ENVIRONMENTAL APPEALS BOARD

By: _____
Kathie A. Stein
Environmental Appeals Judge

Dated: *November 4, 1997*

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Appeal in the Matter of Bickford, Inc., TSCA Appeal No. 95-7, were sent to the following persons in the manner indicated.

Certified Mail
Return Receipt Requested
(and copy by facsimile)

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Dated: NOV 4 1997

Mildred T/Johnson
Secretary