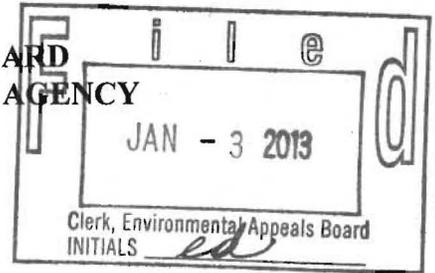


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
)
Joseph J. Piscazzi, Trustee, Joseph J.)
Piscazzi Revocable Trust)
(Cleveland Trencher Site))
)
_____)

CERCLA 106(b) Petition No. 12-03

ORDER DISMISSING PETITION FOR REIMBURSEMENT

On December 28, 2012, the petitioner in the above-captioned matter, Joseph J. Piscazzi, Trustee, Joseph J. Piscazzi Revocable Trust, filed a notice of withdrawal of its petition for reimbursement. Notice of Withdrawal (Dec. 28, 2012) ("Notice"). The Notice states that the parties have entered into a consent agreement, "wherein they reached a settlement of all matters relating to the Petition." Notice at 1.

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

ENVIRONMENTAL APPEALS BOARD

Dated: *January 3, 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 *Joseph J. Piscazzi, Trustee, Joseph J. Piscazzi Revocable Trust, (Cleveland Trencher Site)*, CERCLA 106(b) Petition No. 12-03, were sent to the following persons in the manner indicated:

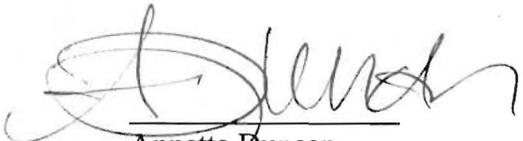
By Facsimile and First Class Mail:

Mark J. Scarpitti
Danielle A. Higgins
Day Ketterer, Ltd.
200 Market Ave. North, Suite 300
Canton, OH 44702
Fax. # (330) 455-2633

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: JAN - 3 2013


Annette Duncan
Secretary