

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

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	)	

**ORDER CONTINUING STAY OF PROCEEDINGS**

On November 27, 2019, the parties to the above-captioned appeal filed a joint response to the Environmental Appeals Board’s November 21, 2019 *Order Directing Clarification and Continuing Stay of Proceedings*. In the response, they explain that the Joint Status Report they filed on October 31, 2019, lacked the second page and thus was incomplete. They resubmit the Joint Status Report, revised to include the second page, in which they explain that Titan Tire Corporation and Dico, Inc. did not file a petition for writ of certiorari with the U.S. Supreme Court. Instead, the parties have reached a settlement in principle of the case pending before the Board.

The parties now ask that the stay be continued to allow them to finalize a consent decree. They state that they will notify the Board when the consent decree is lodged with the U.S. District Court for the Southern District of Iowa.

For good cause shown, the existing stay of proceedings in CERCLA § 106(b) Petition No. 10-01 is continued. The parties are directed to submit to the Board a status report on or before **Wednesday, January 15, 2020**, advising the Board of the status of the settlement process and recommending next steps for orderly resolution of the present appeal.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Date: **Dec 02 2019**

By:   
Kathie A. Stein  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Continuing Stay of Proceedings** in the matter of *Titan Tire Corp. & Dico, Inc. (Southern Iowa Mechanical Site)*, CERCLA § 106(b) Petition No. 10-01, were sent to the following persons in the manner indicated:

### By Electronic Mail:

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Date: **Dec 02 2019**

  
Eurika Durr  
Clerk of the Board