

FILED

2011 AUG 29 AM 11:20

REGIONAL HEARING CLERK  
EPA REGION VI

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
DALLAS, TEXAS

IN THE MATTER OF:

Town of Cement

§  
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§  
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§

Docket No. SDWA-06-2011-1209

RESPONDENT

**Notice to Withdraw Complaint**

NOW COMES Complainant, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency, Region 6 ("Complainant"), through his attorney, and pursuant to 40 C.F.R. § 22.14(d) respectfully states as follows:

1. This proceeding for the assessment of a civil penalty was instituted pursuant to Section 1423(c) of the Safe Drinking Water Act (herein "the Act"), 42 U.S.C. § 300h-2(c) by the issuance of a Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") on May 4, 2011.

2. Under 40 C.F.R. § 22.14(d), the Complainant may withdraw the Complaint without prejudice before an Answer has been filed.

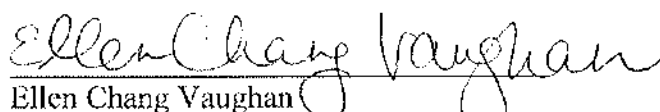
3. A Complaint was filed on May 4, 2011, but it does not appear that service of the Complaint was completed because the green card has not been received by Complainant. As such, Complainant would like to withdraw the Complaint. No Answer has been filed.

4. Complainant is providing notice that it is withdrawing the Complaint.

5. No party will be prejudiced by the Notice to Withdraw the Complaint.

THEREFORE, in the interests of justice and pursuant to 40 C.F.R. § 22.14(d),  
Complainant provides notice to the Court that it is withdrawing the Complaint.

RESPECTFULLY SUBMITTED,



Ellen Chang Vaughan  
Assistant Regional Counsel (6RC-EW)  
U.S. Environmental Protection  
Agency, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733  
Tel.: (214) 665-7328  
COUNSEL FOR COMPLAINANT

**CERTIFICATE OF SERVICE**

I certify that the foregoing NOTICE TO WITHDRAW THE COMPLAINT was hand-delivered to the **Regional Hearing Clerk**, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and was sent by first class mail, on Aug. 29, 2011 addressed to the following:

Via First Class Mail:

Alice Ladymon  
Town of Cement  
P.O. Box 337  
Cement, OK 73017

Ellen Chapp Vaughan