U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KANSAS

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
DEAN C. BENNETT,   )   **Docket No. TSCA-07-2016-0007**
D.B.A. AFFORDABLE TUCKPOINTING,   )
)
                                    Respondent.   )
)
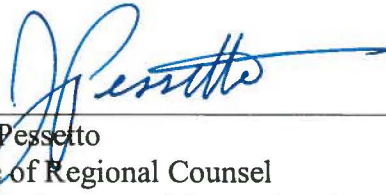
NOTICE OF WITHDRAWAL OF COMPLAINT WITHOUT PREJUDICE

1.   Complainant, the Chief of the Toxics and Pesticides Branch of the

U.S. Environmental Protection Agency, Region 7, provides notice of withdrawal without

prejudice of the Complaint and Notice of Opportunity for Hearing ("Complaint").

2.   Pursuant to Rule 22.14(d) of the Consolidated Rules of Practice Governing the

Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of

Permits ("Consolidated Rules of Practice"), 40 C.F.R. § 22.14(d), the complainant may withdraw

the complaint, or any part thereof, without prejudice one time before the answer has been filed.

3.   On June 28, 2016, Complainant filed the Complaint in this matter.

4.   On August 25, 2016, Complainant filed an Affidavit of Service of the Complaint,

documenting service of the Complaint to Respondent Dean C. Bennett, d.b.a. Affordable

Tuckpointing, on August 22, 2016.

5.   To date, Respondent has not filed an answer to the Complaint with the Regional

Hearing Clerk for EPA Region 7.

6. Complainant has not previously filed in this matter any withdrawal of the Complaint, or any part thereof.

7. Pursuant to Rule 22.14(d) of the Consolidated Rules of Practice, Complainant hereby withdraws its Complaint without prejudice.

RESPECTFULLY SUBMITTED,
this 14th day of March, 2017,

Jared Pessetto
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219
Office: (913) 551-7793
pessetto.jared@epa.gov

CERTIFICATE OF SERVICE

I hereby certify that the original and one true and correct copy of the foregoing Notice of Withdrawal of Complaint without Prejudice was hand-delivered to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, at 11201 Renner Boulevard, Lenexa, Kansas, on _March 14, 2017_.

A true and correct copy of the foregoing Notice of Withdrawal of Complaint without Prejudice was sent by first class mail on _March 14, 2017_ to:

Dean C. Bennett
2148 Lake Drive
Arnold, Missouri 63010.

Jared Pesseto
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7