UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

1650 Arch Street Philadelphia, Pennsylvania 19103-2029

In the Matter of:)			
Crabbs Branch Property, 12055 Tech Road Silver Spring, Maryland	y, LLC	Notice of Withdrawal		
	d 20904	U.S. EPA Docket Number RCRA-03-2010-0124		
}	RESPONDENT)			<i>.</i>
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NOTICE OF WITHDRAWAL

Complainant hereby serves notice of that EPA is withdrawing the Complaint in the above captioned matter under the authority of 40 C.F.R. § 22.14(d). The Complaint in this matter sought a Compliance Order requiring Crabbs Branch Property, LLC ("Respondent") to provide certain information to the United States Environmental Protection Agency, Region III ("EPA"). Respondent provided the information sought by EPA, and thus the matter is now moot.

On April 16, 2009, EPA sent to Respondent an Information Request Letter requiring Respondent to provide information regarding certain underground storage tanks ("USTs") currently and/or formerly owned and operated by Respondent. This Information Request Letter relied on EPA's information gathering authority provided in Section 9005(a) of the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984 (collectively referred to hereafter as "RCRA"), 42 U.S.C. § 6991d(a). Respondent did not provide a response to EPA's April 16, 2009 Information Request Letter, despite the mandatory nature of such a Request. On

March 15, 2010, Complainant filed the Complaint in this matter, seeking a Compliance Order requiring Respondent to provide the information sought in the April 16, 2009 Information Request Letter. The Complaint did not seek a civil penalty.

Respondent did not file an Answer to the Complaint, but instead submitted the information sought by EPA in the April 16, 2009 Information Request Letter. This matter is therefore moot.

For the above reasons, Complainant hereby withdraws the above-captioned matter.

Respectfully submitted,

Date

loyce A. Howell

Senior Assistant Regional Counsel

CERTIFICATE OF SERVICE

I hereby certify that on the date below I hand-delivered the original and one copy of the attached Notice of Withdrawal to the Regional Hearing Clerk, and caused true and correct copies to be sent via certified mail, return receipt requested to the persons listed below:

Crabbs Branch Property, LLC c/o Kenneth Wilhelm
12055 Tech Road #B
Silver Spring, MD 20904

Crabbs Branch Property, LLC c/o Kenneth Wilhelm
18216 Wickham Road
Olney MD 20832

List 15, 2010

Joyge A. Howell

Schior Assistant Regional Counsel