

U. S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

2016 OCT 17 PM 12:45

11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219

**BEFORE THE ADMINISTRATOR**

**In the Matter of**

Mr. Jose Garcia  
1405 Osage Trail  
Independence, Missouri 64058

**Respondent**

**Docket No.: TSCA-07-2014-0010**

**NOTICE OF WITHDRAWAL OF COMPLAINT WITHOUT PREJUDICE**

1. Complainant, the Chief of the Toxics and Pesticides Branch at EPA, Region 7, provides notice of withdrawal without prejudice of the Complaint and Notice of Opportunity for Hearing ("Complaint") in this matter, as follows:

2. Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 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 May 16, 2014, Complainant filed its Complaint in this matter.

4. Complainant was unable to serve said Complaint. The certified complaint package that was returned to EPA's Region 7 office indicated that the Complaint could not be delivered, and that respondent had moved and left no forwarding address.

5. Respondent has to date not filed an answer to the Complaint.

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

7. Pursuant to 40 C.F.R. § 22.14(d), Complainant hereby withdraws its Complaint  
without prejudice.

Date: 10/14/2016

  
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Jamie Green  
Chief  
Toxics and Pesticides Branch  
Water, Wetlands and Pesticides Division

Date: 10/17/2016

  
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Jennifer Trotter  
Attorney  
Office of Regional Counsel

CERTIFICATE OF SERVICE

I hereby certify that on this 17<sup>th</sup> day of October, 2016, the original and one true and correct copy of the foregoing Notice of Withdrawal of Complaint Without Prejudice were hand delivered to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219; and that a true and correct copy of the foregoing Notice of Withdrawal of Complaint Without Prejudice was sent by certified mail, return receipt requested, to:

Mr. Jose Garcia  
1405 Osage Trail  
Independence, Missouri 64058

  
Name

