

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4

IN THE MATTER OF:	)	
	)	
Lineage Logistics LLC,	)	Docket No. CERCLA-04-2021-0603(b)
	)	
Respondent.	)	
	)	

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**ORDER OF WITHDRAWAL OF CONSENT AGREEMENT AND FINAL ORDER**

On July 21, 2021 at 3:55 p.m., the Regional Hearing Clerk filed a Consent Agreement and Final Order (CAFO) in the Matter of Lineage Logistics LLC, Docket No. CERCLA-04-2021-0603(b), which did not contain the Regional Judicial Officer’s signature on the Final Order.

The above referenced matter is subject to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), set forth at 40 C.F.R. Part 22. The Consolidated Rules encourage settlement of a proceeding and allow parties to agree to settlement of one or more causes of action before the filing of a complaint. If the settlement occurs before the filing of a complaint, the proceeding may be simultaneously commenced and concluded by the issuance of a consent agreement and final order pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b). In accordance with 40 C.F.R. § 22.18(b)(3), no settlement or consent agreement shall dispose of any proceeding under the Consolidated Rules without a final order from the Regional Judicial Officer or the Regional Administrator ratifying the parties’ consent agreement. Since the CAFO filed by the Regional Hearing Clerk did not contain the Final Order signed by the Regional Judicial Officer on July 21, 2021 ratifying the parties’ Consent Agreement, such settlement is not effective.

As a result of the clerical error, I hereby order *sua sponte* per 40 C.F.R. § 22.4(c)(10) that the filing of such CAFO be withdrawn effective upon the filing of this Order by the Regional Hearing Clerk. I further order that the CAFO containing my signature, dated July 21, 2021, on the Final Order ratifying the parties’ Consent Agreement be filed and served on the parties by the Regional Hearing Clerk after the filing of this Order. Such CAFO will become effective upon filing by the Regional Hearing Clerk pursuant to 40 C.F.R. § 22.31(b).

IT IS SO ORDERED this 22<sup>nd</sup> day of July 2021.

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Tanya Floyd  
Regional Judicial Officer

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing Order of Withdrawal of Consent Agreement and Final Order in the Matter of Lineage Logistics LLC, Docket No. CERCLA-04-2021-0603(b), was filed and copies of the same were emailed to the parties as indicated below.

**Via email to all parties at the following email addresses:**

**To Respondent:**

Jason Arasin, General Manager  
Lineage Logistics LLC  
Email: [Jarasin@lineagelogistics.com](mailto:Jarasin@lineagelogistics.com)  
Phone number: (704) 838-1117  
3776 Taylorsville Highway  
Statesville, North Carolina 28625

Dominic DiCarlo, Vice President, Safety & Compliance  
Lineage Logistics LLC  
Email: [DDicarlo@lineagelogistics.com](mailto:DDicarlo@lineagelogistics.com)  
Phone number: (909) 645-6090  
1 Park Plaza, Suite 550  
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**To EPA:**

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Shannon L. Richardson  
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