



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

NOV 29 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 NOV 30 P 3:56
REGIONAL HEARING
CLERK

Stephen M. Richmond, Esq.
Beverage & Diamond, PC
15 Walnut Street, Suite 400
Wellesley, MA 02481

In the Matter of CWM Chemical Services, LLC
Docket No. EPCRA -02-2010-4206

Dear Mr. Richmond:

Enclosed you will find a Notice of Withdrawal of Complaint. EPA is withdrawing the Complaint issued in this matter without prejudice. This action is taken pursuant to 40 C.F.R. § 22.14(d).

Please be advised that CWM should comply with the terms of the Notice of Noncompliance that EPA will issue under separate cover, in accordance to the terms of the settlement reached in this matter.

Please be further advised as we agreed, CWM should file its TRI Form R reports for aluminum (fume or dust) for calendar years 2005, 2006, and 2007. In addition, CWM should continue to file its TRI Form R reports for the aluminum (fume or dust) until further notice by EPA of a change to the reporting requirements.

EPA wishes to thank you for your cooperation in resolving this matter.

Sincerely,


Dore LaPosta, Director
Division of Enforcement & Compliance Assistance

Enclosures

cc: M. Goldstein, Esq. – Beverage & Diamond, PC
K. Maples, Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2 - 290 Broadway
New York, N.Y. 10007-1866

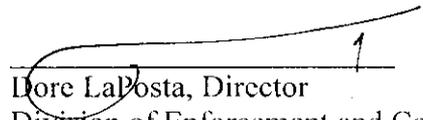
U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2012 NOV 30 P 3:56
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CLERK

-----X
IN THE MATTER OF :
:
:
CWM Chemical Services, LLC : NOTICE OF WITHDRAWAL
: OF COMPLAINT
:
:
: Docket No.
Respondent. : EPCRA-02-2010-4206
-----X

The Administrative Complaint in this matter was issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency ("EPA") by Section 325(c) of Title III of the Superfund Amendments and Reauthorization Act (42 U.S.C. § 11001 et seq.) which is also known as the Emergency Planning and Community Right-to-Know Act of 1986 (hereinafter, "EPCRA"). The Administrator delegated this authority to the Regional Administrator of EPA 2, who in turn has delegated it to the Director, Division of Enforcement and Compliance Assistance ("DECA") of EPA, Region 2, the Complainant in this matter.

Notice is hereby given that Complainant withdraws, without prejudice, the Administrative Complaint, Docket No. EPCRA-02-2010-4206, issued on or about September 21, 2010 against CWM Chemical Services, LLC ("Respondent"). This action is taken pursuant to 40 C.F.R. § 22.14(d).

Date: NOVEMBER 29, 2012


Dore LaPosta, Director
Division of Enforcement and Compliance
Assistance
U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007-1866

In The Matter of CWM Chemical Services, LLC
Docket No. EPCRA-02-2010-4206

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. 2
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CERTIFICATE OF SERVICE

I certify that the original "Notice of Withdrawal of Complaint," Docket No. EPCRA-02-4206, and a copy of which accompanies this Certificate of Service, was [hand carried / mailed] to the Office of the Regional Hearing Clerk, United States Environmental Protection Agency, Region 2, 290 Broadway - 16th Floor, New York, New York 10007-1866, on DEC - 3 2012, and that true copies were sent by Certified Mail, Return

Receipt Requested to:

Stephen M. Richmond, Esq.
Marc J. Goldstein, Esq.
Beverage & Diamond, PC
15 Walnut Street, Suite 400
Wellesley, MA 02481

and a true copy was hand delivered to:

Melva J. Hayden, Esq.
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
290 Broadway - 16th Floor
New York, New York 10007-1866

Dated DEC - 3 2012
New York, New York

Mildred N. Bao
[Signature of Sender]