

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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In the Matter of:

Marbles Realty, LLC (d/b/a Marbles
Realty & Property Management),
Terre Haute, Indiana

Respondent.

Docket No. TSCA-05-2010-0022

Proceeding to Assess a Civil Penalty
Under Section 16(a) of the Toxic
Substances Control Act,
15 U.S.C. § 2615(a)

NOTICE OF WITHDRAWAL OF COMPLAINT WITHOUT PREJUDICE

Section 22.14(d) of the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and Revocation/Termination or Suspension of Permits" (Consolidated Rules), 40 C.F.R. § 22.14(d), provides that "(t)he complainant may withdraw the complaint, or any part thereof, without prejudice one time before the answer has been filed." EPA filed its Complaint against Marbles Realty, LLC, on September 20, 2010. Despite numerous attempts, EPA has been unsuccessful in serving the Complaint. Respondent has therefore not filed an answer. Pursuant to 40 C.F.R. § 22.14(d), Complainant hereby withdraws the Complaint filed in the above-captioned matter without prejudice.

Respectfully Submitted,

Date:

June 6, 2011



Mony Chabria
Associate Regional Counsel
U.S. EPA Region 5
77 West Jackson Blvd. (C-14J)
Chicago, Illinois 60604
(312) 886-6842

CERTIFICATE OF SERVICE

I certify that on June 6, 2011, I hand-delivered the original and one copy of
Complainant's Notice of Withdrawal of Complaint without Prejudice to:

Regional Hearing Clerk
U.S. EPA Region 5
77 West Jackson Boulevard (E-19J)
Chicago, Illinois 60604

I further certify that on that date, I mailed a file-stamped copy of Complainant's Notice of
Withdrawal of Complaint without Prejudice to Respondent by first class mail, addressed to:

Mr. Robert S. Parker
Registered Agent
Marbles Realty, LLC
1711 Wabash Avenue
Terre Haute, Indiana 47802

I further certify that I hand-delivered a file-stamped copy of the same to:

Marcy Toney
Regional Judicial Officer
U.S. EPA Region 5 (C-14J)
77 West Jackson Boulevard
Chicago, Illinois 60604

Dated: June 6, 2011


Mony Chabria, Associate Regional Counsel