

**ENGLAND’S STOVE WORKS, INC.
BEFORE THE ADMINISTRATOR**

In the Matter of:)	
)	
England’s Stove Works, Inc.,)	Docket No. CAA-HQ-2022-8422
)	
Respondent)	

ENGLAND’S STOVE WORKS, INC.’S MOTION FOR VOLUNTARY DISMISSAL

England’s Stove Works, Inc. (“ESW”), as the initiating party of this proceeding, hereby submits this Motion for Voluntary Dismissal of the above-captioned proceeding. The U.S. Environmental Protection Agency (“EPA”) does not oppose this motion.

1. On October 28, 2021, ESW initiated this proceeding by filing a request for a hearing pursuant to 40 C.F.R. § 60.539(a)(2). ESW sought a hearing on EPA’s proposed determination to revoke ESW’s Certificate of Compliance for the Subject Products. Hearing Request, Dkt. #2. 40 C.F.R. § 60.539(a)(2) provides that “[i]n any case where the Administrator issues a notice of revocation under § 60.533(n)(3)(ii), the manufacturer may request a hearing under this section....” A hearing is scheduled for April 18-22, 2022. Order Scheduling Hearing, Dkt. #14.
2. On February 28, 2022, EPA filed a Motion for Accelerated Decision seeking a ruling that the certification of the Subject Products may be revoked. EPA’s Mot. for Accelerated Decision at 1.
3. On March 4, 2022, EPA filed a Status Report stating, “[T]he parties, through counsel, continue to coordinate. EPA understands that Respondent intends to begin the next round of testing on the Subject Products on March 28, 2022.” EPA’s Status Report at 1.

4. ESW no longer seeks to exercise its right to a hearing under 40 C.F.R. § 60.539(a)(2).
ESW moves for voluntarily dismissal of this proceeding and does so in lieu of filing a response to EPA's pending Motion for Accelerated Decision.

Dated: March 10, 2022

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that the foregoing England's Stove Works, Inc.'s Motion for Voluntary Dismissal, dated March 10, 2022, was sent this day to the following parties in the manner indicated below.



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