

8-1-98

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF:

FERRO CORPORATION,

Respondent

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)  
)  
)  
)

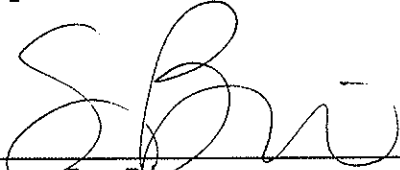
DKT. No. 5-FIFRA-98-008

ORDER OF DESIGNATION AND DISMISSAL

The undersigned is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, pursuant to Section 22.21(a) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits (40 C.F.R. 22.21(a)).

On July 24, 1997, the Complainant filed a Motion To Dismiss Complaint. The Motion indicates that the Respondent agrees with the Motion. The Complainant's stated basis for the dismissal is that the Respondent has submitted to EPA information which indicates that, in fact, no violation occurred.

Therefore, Complainant's Motion To Dismiss Complaint is **GRANTED**, and this action is hereby **DISMISSED, WITH PREJUDICE**.

  
\_\_\_\_\_  
Susan L. Biro  
Administrative Law Judge

Dated: \_\_\_\_\_

8/7/98  
Washington, D.C.

In the Matter of Ferro Corporation, Respondent  
Docket No. 5-FIFRA-98-008

CERTIFICATE OF SERVICE

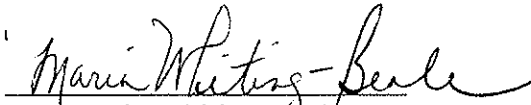
I certify that the foregoing **Order Of Designation And Dismissal**, dated August 7, 1998, was sent this day in the following manner to the addressees listed below.

Original by Regular Mail to:           Sonja R. Brooks  
  Regional Hearing Clerk  
  U.S. EPA  
  77 West Jackson Boulevard  
  Chicago, IL 60604-3590

Copy by Regular Mail to:

Attorney for Complainant:           Thor W. Ketzback, Esquire  
  Assistant Regional Counsel  
  U.S. EPA  
  77 West Jackson Boulevard  
  Chicago, IL 60604-3590

Attorney for Respondent:           Judith G. Deedy, Esquire  
  Squire, Sanders & Dempsey, L.L.P.  
  4900 Key Tower  
  127 Public Square  
  Cleveland, OH 44114-1304

  
\_\_\_\_\_  
Maria Whiting-Beale  
Legal Staff Assistant

Dated: August 11, 1998