

**OBJECTION TO THE DENIAL OF
EXCESS LIABILITY TRUST FUND
ELTF #199607527 / FID #9574
FORMER PAPPY'S SUNOCO STATION
2022 OEA 177, OEA CAUSE NO.: 19-F-J-5071**

Official Short Cite Name:	FORMER PAPPY'S SUNOCO STATION, 2022 OEA 177
OEA Cause No.:	19-F-J-5071
Topics/Keywords:	Excess Liability Trust Fund
	IC § 13-23-9-1.5(a)(1)
	IC § 13-11-2-150
	IC § 13-12-148(d) and (e)
	IC § 13-2-11-62.5
	328 IAC 1-3-1(c)
Presiding ELJ:	Lori Kyle Endris
Party Representatives	David E. Dearing, Esq. - Petitioner
	Julie Lang, Esq. - IDEM
Date of Order:	March 3, 2022
Index Category:	Excess Liability Trust Fund
Further Case Activity:	



INDIANA OFFICE OF ENVIRONMENTAL ADJUDICATION

Mary L. Davidsen, *Chief Environmental Law Judge*
Lori Kyle Endris, *Environmental Law Judge*
Sara C. Blainbridge, *Legal Administrator*

INDIANA GOVERNMENT CENTER NORTH
100 NORTH SENATE AVENUE
SUITE N103
INDIANAPOLIS, INDIANA 46204-2273
FRONTDESK@OEA.IN.GOV
(317) 233-0850

STATE OF INDIANA)
)
COUNTY OF MARION)
)
IN THE MATTER OF:)

BEFORE THE INDIANA OFFICE OF
ENVIRONMENTAL ADJUDICATION

CAUSE NO. 19-F-J-5071

)
OBJECTION TO THE DENIAL OF)
EXCESS LIABILITY TRUST FUND)
FORMER PAPPY'S SUNOCO STATION)
KEYSTONE PETROLEUM INC.)
INDIANAPOLIS, MARION COUNTY, INDIANA.)

FINAL ORDER OF VOLUNTARY DISMISSAL

PLEASE SUBMIT ALL FILINGS TO THE COURT VIA EMAIL AT frontdesk@oea.IN.gov.

This matter came before the Office of Environmental Adjudication ("OEA" or "Court") on March 2, 2022, by legal counsel for Petitioners Keystone Petroleum Inc. The March 2, 2022 Stipulation of Dismissal with Prejudice which is signed by both parties counsel is now a part of the Courts record.

AND THE COURT, having been duly advised and having considered March 2, 2022 Stipulation of Dismissal with Prejudice, now **FINDS** that, pursuant to 315 IAC 1-3-7 and 1-3-8, voluntary dismissal shall be **GRANTED**, and the Petition for Administrative Review is hereby dismissed, with prejudice and each party is to bear its own costs. All pending proceedings are hereby **VACATED**.

After issuing a Dismissal Order, the Environmental Law Judge shall conduct any further proceedings necessary to complete the proceeding without the participation of the party dismissed and shall determine all issues in the adjudication, including those affecting the persons dismissed.

Information concerning hearing schedules and procedures may be obtained by calling the Office of Environmental Adjudication at (317) 233-0850.

IT IS SO ORDERED this 3rd day of March 2022 in Indianapolis, IN.

Hon. Lori Kyle Endris
Environmental Law Judge



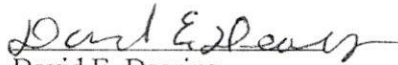
STATE OF INDIANA)
)
COUNTY OF MARION)

BEFORE THE INDIANA OFFICE OF
ENVIRONMENTAL ADJUDICATION

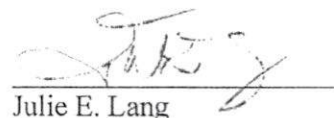
IN THE MATTER OF:)
)
OBJECTION TO THE) CAUSE NO. 19-F-J-5071
NOTICE OF ELTF REIMBURSEMENT DENIAL, FOR)
COSTS ASSOCIATED WITH INCIDENT #199607527)
AT FORMER PAPPY'S SUNOCO STATION, FID #9574)
INDIANAPOLIS, MARION COUNTY, INDIANA)

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties hereby stipulate and agree that this action shall be dismissed with prejudice, each party to bear its own costs.


David E. Dearing
Attorney at Law
921 E. 86th Street
Suite 203
Indianapolis, Indiana 46240
(317) 920-0824

Counsel for Petitioner Keystone
Petroleum, Inc.



Julie E. Lang
Indiana Dept. of Environmental
Management
Office of Legal Counsel
IGCN, Room 1307
100 North Senate Ave.
Indianapolis, IN 46204
T: 317-233-0406

Counsel for Respondent
Indiana Department of
Environmental Management

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing by electronic transmission to the following counsel of record on March 2, 2022

Julie A. Lang, Esq.
Office of Legal Counsel
jlang@idem.in.gov


David E. Dearing