

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

_____)	
In re:)	
)	
Air Products of)	
Puerto Rico, Inc.)	NPDES Appeal No. 00-12
)	
Docket No. PR0000108)	
_____)	

ORDER ON REQUEST TO WITHDRAW PETITION FOR REVIEW

By letter dated December 14, 2000, Air Products of Puerto Rico, Inc. ("Air Products"), the petitioner in the above-referenced matter, moves to withdraw the above-referenced petition filed with the Environmental Appeals Board under 40 C.F.R. Part 124. In support to its request, Air Products explains that its individual National Pollutant Discharge Elimination System ("NPDES") permit was transferred to a Multi-Sector General Permit ("MSGP") and coverage under the MSGP began on November 15, 2000. In addition, U.S. EPA Region II is "inactivating" the individual permit subject of this appeal and relieving Air Products of its responsibilities under the permit. Accordingly, Air Products' petition for review is now moot.

In light of the above, Air Products' request to withdraw NPDES Appeal No. 00-12 is hereby granted, and the Board hereby dismisses with prejudice the appeal in its entirety.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 12/19/00

By: _____/s/_____
Ronald L. McCallum
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order on Request to Withdraw Petition for Review in the matter of Air Products of Puerto Rico, Inc., NPDES Appeal No. 00-12, were sent to the following persons in the manner indicated:

By First Class Mail Postage Prepaid:

Mark A. Chertok
Sive, Paget & Riesel, P.C.
460 Park Avenue
New York, NY 10022-1906

George Pavlou, Director
Division of Enforcement and Compliance Assurance
U.S. EPA, Region II
290 Broadway
New York, NY 10007-1866

Diane Gomes, Esq.
Division of Enforcement and Compliance Assurance
U.S. EPA, Region II
290 Broadway
New York, NY 10007-1866

Dated: 12/19/00

_____/s/_____
Annette Duncan
Secretary