

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

In re:)	
Blue Plains Wastewater Treatment Plant)	NPDES Appeal Nos. 03-01
NPDES Permit No. DC0021199)	and 03-02

ORDER DISMISSING PETITIONS FOR REVIEW

On September 30, 2004, Region III of the U.S. Environmental Protection Agency filed a “Motion on Consent to Dismiss Appeals” with the Environmental Appeals Board. In the motion, Region III explains that on October 24, 2003, and May 28, 2004, it withdrew all of the National Pollutant Discharge Elimination System (“NPDES”) permit conditions challenged in the above-captioned appeals. Accordingly, the Region states, there are no remaining contested permit provisions in the existing appeals and therefore no active matters before the Board. Region III consequently moves the Board, with the consent of Petitioner District of Columbia Water and Sewer Authority and Petitioners Friends of the Earth and Sierra Club, to dismiss the two petitions for review.

For good cause shown, the petitions for review, designated as Board NPDES Appeal Nos. 03-01 and 03-02, are hereby **DISMISSED WITH PREJUDICE**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: October 12, 2004

By: /s/
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petitions for Review in the matter of Blue Plains Wastewater Treatment Plant, NPDES Appeal Nos. 03-01 and 03-02, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

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Dated: October 13, 2004

/s/
Annette Duncan
Secretary