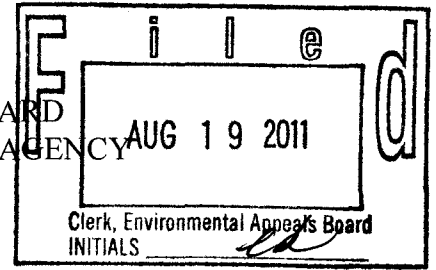


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
)
City of Fitchburg Wastewater Treatment)
Facilities Commission,) NPDES Appeal No. 10-14
)
Petitioner,)
)
NPDES Permit No. MA0100986)
_____)

ORDER DISMISSING PETITION FOR REVIEW

On August 12, 2011, the City of Fitchburg Wastewater Treatment Facilities Commission (“the City”) filed a notice of withdrawal of its petition for review in the above-captioned case. The parties have agreed to an Administrative Order for Compliance that all parties agree will resolve this appeal without further litigation before the Board. *See* Notice of Withdrawal; *see also* Status Report (Docket # 17) (Aug. 5, 2011).

Upon consideration, the Environmental Appeals Board dismisses the matter in its entirety with prejudice.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: August 19, 2011

Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER DISMISSING PETITION FOR REVIEW, in the matter of City of Fitchburg Water Treatment Facilities Commission, NPDES Appeal No. 10-14 were sent to the following persons in the manner indicated:


By Pouch Mail and FAX:

Ronald A. Fein
Assistant Regional Counsel
U.S. EPA Region 1
5 Post Office Square, Suite 100 (Mailcode ORA 18-1)
Boston, MA 02109-3912
Fax: 617-918-0040

By First Class Mail and FAX:

David E. Evans
McGuire Woods LLP
One James Center
Richmond, VA 23219
Fax: 804-698-2049

Dated: AUG 19 2011


Annette Duncan