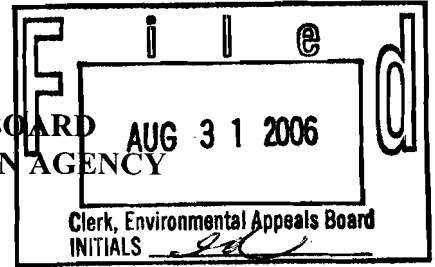


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Boston & Maine Corporation)
East Deerfield Massachusetts)
)
NPDES Permit No. MA0000272)
)

NPDES Appeal No. 05-17

ORDER DISMISSING PETITION FOR REVIEW

By submission filed on August 17, 2006, Petitioners Jamison Colburn and Connecticut River Watershed Council state that they are "voluntarily dismissing" their Petition for Review in the above-captioned matter. *See* Notice of Voluntary Dismissal. The Petitioners explain that the issues they raised in their Petition for Review have been resolved by a permit modification. Accordingly, the Petition for Review is hereby dismissed with prejudice.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: August 31, 2006

By: Anna L. Wolgast
Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of Boston & Maine Corporation, ND PES Appeal No. 05-17, were sent to the following persons in the manner indicated:

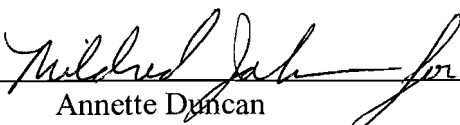
By First Class Mail: Professor Jamison Colburn
WNEC-Law School
1215 Wilbraham Rd.
Springfield, MA 01119-2654

Andrea Donlon
River Steward
Connecticut River Watershed Council, Inc.
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By Pouch Mail: Ronald A. Fein, Assistant Regional Counsel
U.S. EPA Region I
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114

Date: AUG 31 2006


Annette Duncan
Secretary