

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

\_\_\_\_\_)  
In the Matter of: )  
Palmer Wastewater Treatment Plant ) NPDES Appeal No. 97-5  
NPDES Permit No. PR0024538 )  
\_\_\_\_\_)

ORDER

On September 5, 1997, the Puerto Rico Aqueduct and Sewer Authority ("PRASA") filed an appeal under 40 C.F.R. § 124.5(b) seeking the Board's review of U.S. EPA Region II's decision to deny PRASA's request for a modification of the NPDES permit for the Palmer Wastewater Treatment Plant. Upon consideration of PRASA's appeal and the Region's response thereto, the Board hereby declines to review the Region's denial of the permit modification request.'

So Ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: *October 22, 1997*

By: \_\_\_\_\_  
Kathie A. Stein  
Environmental Appeals Judge

\_\_\_\_\_  
'Although 40 C.F.R. § 124.5(b) does not require that the Board issue an order declining review of the permit modification in this case (i.e., pursuant to the regulation, the appeal would be considered denied if the Board took no action within 60 days of receipt of the appeal), this order is an explicit indication of the Board's intentions.

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order in the matter of Palmer Wastewater Treatment Plant, NPDES Appeal No. 97-5, were sent to the following persons in the manner indicated:

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Dated: O CJ 2 3 1997

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Mildred T. Johnson  
Secretary