

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

| | | |
|-----------------------------|---|------------------------|
| In the Matter of: |) | |
| |) | |
| Mullan Wastewater Treatment |) | |
| Plant |) | NPDES Appeal No. 04-08 |
| |) | |
| Permit Nos. ID-002130-0 |) | |
| and ID-002129-6 |) | |
| |) | |
| |) | |

**ORDER GRANTING REQUEST TO WITHDRAW
PETITION FOR REVIEW**

By letter dated August 27, 2004, Mark A. Ryan, Assistant Regional Counsel, U.S. EPA Region 10, states that the petitioner in the above-captioned matter, the South Fork Coeur d'Alene River Sewer District, has agreed to withdraw its petition for review.

Mr. Ryan states, in part, as follows:

I spoke with Ross Stout of the Sewer District, who informed me today by phone that the Sewer District has accepted the Region's offer of assistance in resolving [infiltration and inflow] problems the Sewer District is encountering. Mr Stout informed me that I could notify the EAB that the Sewer District withdraws its petition for review.

Aug. 24 letter at 1.¹

¹ Counsel to the Board verified by telephone that the South Fork Coeur d'Alene River Sewer District has agreed to withdraw its petition for review.

For good cause shown, the request is granted and the Board's file on the above-captioned petition for review will now be closed.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: Sept. 9, 2004

By: _____/s/_____
Scott C. Fulton
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Request to Withdraw Petition for Review in the matter of Mullan Wastewater Treatment Plant, NPDES Appeal No. 04-08, were sent to the following persons in the manner indicated:

First Class Mail,
Postage Prepaid:

Bruce Hickey, Chairman
C.B. Reitz, Secretary/Treasurer
Ross Stout
South Fork Coeur d'Alene
River Sewer District
1020 Polaris Ave.
P.O. Box 783
Osburn, Idaho 83849

By Pouch Mail:

Mark A. Ryan
Assistant Regional Counsel
U.S. EPA Region X
Idaho Operations Office
1435 N. Orchard St.
Boise, Idaho 83706

Dated: Sept. 10, 2004

_____/s/
Annette Duncan
Secretary