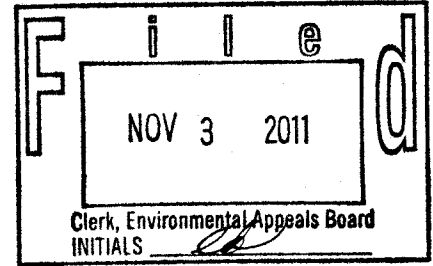


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

)
In re:)
Barnhardt Manufacturing) NPDES Appeal No. 10-17
Company)
)
)
Permit No. MA-0003697)
)



ORDER GRANTING MOTION TO WITHDRAW PETITION

On October 28, 2011, the petitioner in the above-captioned matter, Barnhardt Manufacturing Company ("Barnhardt"), filed a motion to withdraw NPDES Appeal No. 10-17, a petition seeking review of several permit conditions of a National Pollutant Discharge Elimination System ("NPDES") permit issued by U.S. EPA Region 1.

The Environmental Appeals Board hereby grants Barnhardt's request to withdraw NDPEs Appeal No. 10-17, and dismisses with prejudice the appeal in its entirety.

So ordered.

Dated:

November 3, 2011

ENVIRONMENTAL APPEALS BOARD

By:

Anna L. Wolgast

Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion to Withdraw Petition in the matter of Barnhardt Manufacturing Company, NPDES Appeal No. 10-17, were sent to the following persons in the manner indicated:


By Pouch Mail and FAX:

Ronald A. Fein
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (Mailcode ORA18-1)
Boston, MA 02109-3912
Fax: 617-918-0040

By First Class Mail Certified Mail/ Return Receipt Requested and FAX:

Peter J. Feuerbach, Esq.
Rubin and Rudman LLP
50 Rowes Wharf
Boston, MA 02110
Fax: (617) 330-7550

Dated: NOV - 3 2011


Annette Duncan
Secretary