

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

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|---|---|------------------------|
| _____ |) | |
| In re: |) | |
| |) | |
| City of Fitchburg, Massachusetts, and |) | |
| Fitchburg Wastewater Treatment Facilities |) | NPDES Appeal No. 00-33 |
| Commission |) | |
| |) | |
| NPDES Permit No. MA-0101281 |) | |
| _____ |) | |

ORDER DISMISSING PETITION FOR REVIEW

On April 6, 2001, the City of Fitchburg, Massachusetts, and the Fitchburg Wastewater Treatment Facilities Commission (collectively "Fitchburg") filed a notice of withdrawal of their petition for review in the above-captioned matter, explaining that the parties have settled the underlying action upon which the permit appeal was based. Accordingly, Fitchburg's petition for review is hereby dismissed with prejudice.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 04/18/01

By: _____ /s/
 Edward E. Reich
 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, Massachusetts, and Fitchburg Wastewater Treatment Facilities Commission, NPDES Appeal No. 00-33, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

Richard H. Sedgley, Esq.
David E. Evans, Esq.
McGuire Woods LLP
One James Center
901 East Cary Street
Richmond, Virginia 23219-4030

By EPA Pouch Mail:

Roger Fleming, Esq.
Office of Regional Counsel
U.S. EPA, Region I
One Congress Street, Suite 1100 (RCA)
Boston, Massachusetts 02114-2023

Date: 04/18/01

/s/
Annette Duncan
Secretary