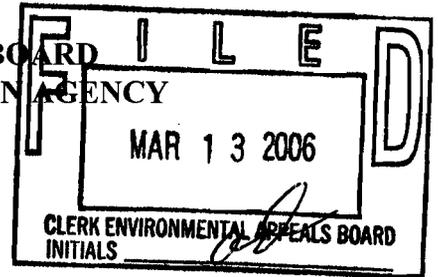


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
)
Milliken & Company)
)
)
)
_____)

NPDES Appeal No. 06-04

ORDER DISMISSING PETITION FOR REVIEW

On January 5, 2006, Milliken & Company (“Milliken” or “Petitioner”) filed a Petition for Review (“Petition”) with the Environmental Appeals Board (“Board”) pursuant to 40 C.F.R. § 124.19(a) seeking review of two conditions of a National Pollutant Discharge Elimination System (“NPDES”) permit issued by the United States Environmental Protection Agency, Region 4 (“Region”) under the Clean Water Act (“CWA”), 33 U.S.C. §§ 1251-1387, for Petitioner’s facility in Abbeville, South Carolina. By order issued on February 16, 2006, the Board granted the joint motion of the two parties requesting a stay of these proceedings. The case was stayed until May 1, 2006, pending the outcome of the permit modification process that had been initiated. *See* Order Granting Stay at 2.

On March 7, 2006, Milliken filed a notice withdrawing its Petition and requesting that the Board issue an order dismissing the Petition. Notice of Withdrawal of Petitioner at 1. In the notification, Petitioner states that the Region has issued the modified permit, which “resolve[s] all issues raised in the Petition.” *Id.* Petitioner further indicates that regional counsel does not object to its request. *Id.*

For good cause shown, the Board approves Petitioner's withdrawal of its Petition, and the Board hereby DISMISSES WITH PREJUDICE the Petition in its entirety.

So ordered.

ENVIRONMENTAL APPEALS BOARD

By: Scott C. Fulton
Scott C. Fulton
Environmental Appeals Judge

Dated: March 13, 2006

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of Milliken & Company, NPDES Appeal No. 06-04, were sent to the following persons in the manner indicated:

Pouch Mail
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Dated:

MAR 13 2006


Annette Duncan
Secretary