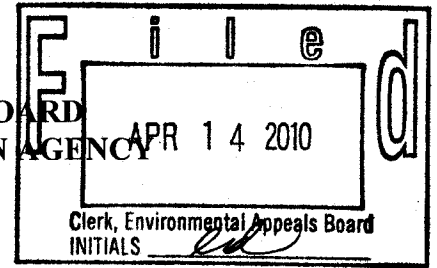


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_  
In re: \_\_\_\_\_ )  
 )  
 )  
Mirant Kendall, LLC, )  
Mirant Kendall Station )  
 )  
 )  
NPDES Permit No. MA0004898 )  
\_\_\_\_\_ )

NPDES Appeal Nos. 06-12,  
06-13, and 09-04

**ORDER RESCHEDULING STATUS CONFERENCE**

On January 28, 2010, the Environmental Appeals Board (“Board”) issued an order granting an extension of the stay of proceedings in the above-captioned case until Thursday, June 3, 2010. The order also directed the parties to file a status report with the Board on or before Thursday, May 13, 2010, and scheduled a status conference for May 20, 2010, subject to cancellation at the request of the parties should the progress of settlement negotiations render such a conference unnecessary.

Due to a scheduling conflict, the Board hereby reschedules the May 20th status conference for **Tuesday, May 18, 2010**, beginning at 10 a.m. EDT, in the Administrative Courtroom, U.S. Environmental Protection Agency, EPA East Building, Room 1152, 1201 Constitution Avenue, N.W., Washington, D.C. Counsel for any of the parties who wish to participate in the status conference via the EPA video-conferencing equipment shall contact the Clerk of the Board, at (202) 233-0122, to make arrangements for the use of such equipment. As before, if it appears, in light of the status of settlement negotiations, that a status conference would not be beneficial, the parties shall contact the Clerk of the Board to request that the conference be cancelled.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: 4/14/2010

By: Kathie A. Stein (per CTS)

Kathie A. Stein  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Rescheduling Status Conference** in the matter of *Mirant Kendall, LLC, Mirant Kendall Station*, NPDES Appeal Nos. 06-12, 06-13, and 09-04, were sent to the following persons in the manner indicated:

### By Facsimile and First Class U.S. Mail:

Peter Shelley, Esq.  
Conservation Law Foundation  
62 Summer Street  
Boston, Massachusetts 02110  
telephone: (617) 350-0990  
facsimile: (617) 350-4030

Kristy A.N. Bulleit, Esq.  
Hunton & Williams LLP  
1900 K Street, N.W.  
Washington, D.C. 20006-1109  
telephone: (202) 955-1547  
facsimile: (202) 778-2201

Ralph A. Child, Breton Leone-Quick, and Colin Van Dyke, Esqs.  
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, PC  
One Financial Center  
Boston, Massachusetts 02111  
telephone: (617) 542-6000  
facsimile: (617) 542-2241

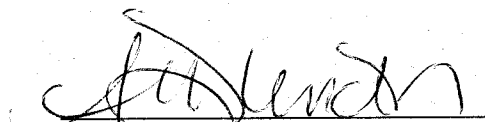
### By Facsimile and EPA Pouch Mail:

Ronald A. Fein, Esq.  
Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100  
Mailcode ORA18-1  
Boston, Massachusetts 02109-3912  
telephone: (617) 918-1040  
facsimile: (617) 918-0040

### By EPA Interoffice Mail:

Richard T. Witt, Esq.  
U.S. Environmental Protection Agency  
Office of General Counsel  
1200 Pennsylvania Avenue, N.W.  
Mail Code 2355A  
Washington, D.C. 20460

Dated: APR 14 2010

  
Annette Duncan, Secretary