

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

RECEIVED
U.S. E.P.A.

2007 AUG 20 AM 9:16

ENVIR. APPEALS BOARD

In re: Easley Combined Utilities

NPDES Permit No. SC0039853

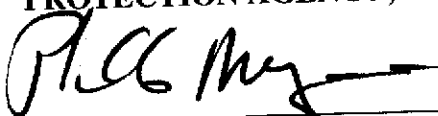
)
) NPDES Appeal No. 06-10
)
)
)
)

STATUS REPORT AND MOTION TO DISMISS

On August 9, 2007, the United States Environmental Protection Agency (EPA) issued the final signed NPDES permit for the above facility, incorporating all the changes that had been agreed to by all parties that addressed the four issues raised in the original appeal. At this point EPA does not believe there are any issues remaining concerning the original petition and understand that Petitioner has the permit under review at this time. In the absence of a request by the Petitioner to withdraw the original petition, EPA would respectfully request that NPDES Appeal No 06-10 be dismissed.

Respectfully submitted this 17th day of August, 2007.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, Region 4**

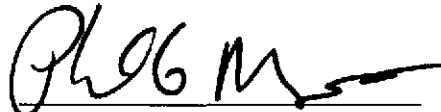


Philip G. Mancusi-Ungaro
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
404-562-9519

cc: F. Paul Calamita Esq.
Richard H. Sedgley, Esq.
Aqualaw
Pooja Parikh, USEPA Office of General Counsel
Virginia Buff, R-4 Water Management Division

CERTIFICATE OF SERVICE

I certify that on August 17, 2007, I sent by Federal Express the original and five copies of the August 17, 2007, Status Report and Motion to Dismiss in NPDES Appeal No. 06-10 to the Clerk of the Board, Environmental Appeals Board 1341 G Street, NW, Suite 600, Washington, DC 20005. I further served Mr. Paul Calimita and Richard Sedgley by Electronic Copy.

A handwritten signature in black ink, appearing to read 'Ph 06 M' followed by a stylized flourish.

Philip G. Mancusi-Ungaro
Counsel for the Environmental
Protection Agency