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ENVIR. APPEALS BOARD

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Texon USA

1190 Huntington Road
P.O. Box 366
Russell, MA 01071-0366
Telephone: (413) 862-3652
Facsimile: (413) 862-4543
(413) 862-4580

R-78-13-07 (1151)
January 26, 2006

OVERNIGHT DELIVERY – ELECTRONIC SIGNATURE TRACKING

Environmental Appeals Board
Colorado Building
1341 G. Street NW
Suite 600
Washington DC 20005

Docket Clerk
Office of Administrative Appeals
Commonwealth of Massachusetts
Department of Environmental Protection
1 Winter Street, 3rd Floor
Boston, MA 02108

Re: Texon USA - Russell, MA
NPDES No. MA0005282
NPDES Appcal No. 05-14
Permit Appcal Withdrawal

Dear Environmental Appeals Board and Office of Administrative Appeals:

We have received a letter dated January 20, 2006 from the U.S. EPA Region I informing us that they intend to issue a final permit modification that addresses our petition submitted on October 6, 2005. It is our understanding that the NPDES permit issued on September 9, 2005 included the following language:



A Texon International company

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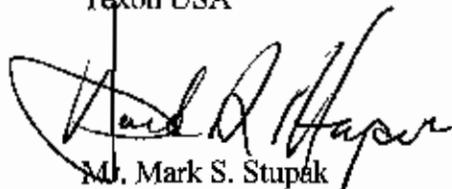
In addition, the permittee is required to monitor upstream and downstream of the discharge daily to determine any changes in river temperature from the discharge.

It is also our understanding, that the final NPDES permit modification will replace the river temperature monitoring language stated above with the following:

In addition, the permittee is required to monitor the upstream receiving water temperature from April 1 – October 31 each year. From April 1 – July 14 and from September 16 – October 31, monitoring shall be conducted once per week, and from July 15 –September 15, monitoring shall be conducted once per day. The receiving water temperature shall be monitored mid-day at the intake structure. The monthly average and maximum daily values shall be reported for each month on the DMRs.

We agree with the proposed NPDES permit modification as described in EPA's January 20, 2006 letter and therefore, agree to withdraw our permit petition. If you have any questions please contact either Mr. Bryan Ward, Technical Service Manager, at (413) 862-3652 ext 224 or our consultant Mr. Jeff Bibeau at (413) 572-3243.

Sincerely,
Texon USA



Mr. Mark S. Stupak
General Manager





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P.O. Box 366
Russell, MA 01071-0366
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Facsimile: (413) 862-4543
(413) 862-4530

Copy by Certified Mail:

Ronald A. Fein, Assistant Regional Counsel
U.S. Environmental Protection Agency Region 1
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114

Robert W. Gollodge, Jr., Commissioner
Massachusetts Department of Environmental Protection
1 Winter Street – 2nd Floor
Boston, MA 02108

Arleen O'Donnell, Deputy Commissioner
Massachusetts Department of Environmental Protection
Bureau of Resource Protection
1 Winter Street – 2nd Floor
Boston, MA 02108

Paul Hogan,
Massachusetts Department of Environmental Protection
Central Regional Office – Bureau of Resource Protection
627 Main Street
Worcester, MA 01608

Paul Nietupski
Massachusetts Department of Environmental Protection
Western Regional Office
436 Dwight Street
Springfield, MA 01103





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Facsimile: (413) 862-4543
(413) 862-4530

Brian Pit, Chief MA NPDES Permits Unit
U.S. EPA Region I
1 Congress Street Suite 1100
Boston, MA 02114-2023

Victor Alvarez
Massachusetts Office of Ecosystem Protection - CPE
U.S. EPA Region I
1 Congress Street Suite 1100
Boston, MA 02114-2023

