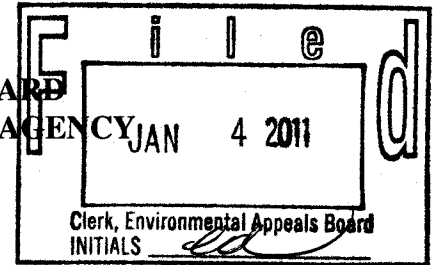


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



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

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

**ORDER CANCELLING STATUS CONFERENCE**

On October 19, 2010, the Environmental Appeals Board issued an order granting an extension of the long-stay entered in this case to allow the parties an opportunity to pursue settlement. Among other things, the Board's October 19 Order cancelled a status conference previously scheduled for October 21, 2010, and it scheduled a status conference to be held on Thursday, January 6, 2011. Before the Board at this time is the Region's Status Report Regarding Final Permit Modification, which was filed on December 22, 2010. The Region's status report states that it has issued an NPDES permit modification, which the Region anticipate will lead to full resolution of the parties' disputes in this matter and the petitioners' withdrawal of their petitions in mid-January 2011.

Based on the Region's representations in its status report, the Board hereby cancels the January 6, 2011 status conference. The Board does not in any other way modify the schedule established by the Board's October 19, 2010 Order.

So ordered.

Dated: *January 4, 2011*

ENVIRONMENTAL APPEALS BOARD  
By: *Kathie A. Stein*  
Kathie A. Stein  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

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

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Dated: **JAN -4 2011**



Annette Duncan  
Secretary