

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

_____)	
In re:)	
)	
Diamond Wanapa I., L.P.,)	PSD Appeal No. 05-07
Wanapa Energy Center)	
)	
PSD Permit No. R10PSD-OR-05-01)	
_____)	

ORDER DISMISSING PETITION FOR REVIEW

On September 12, 2005, the Oregon Department of Environmental Quality (“ODEQ”) filed a petition requesting that the Environmental Appeals Board review the conditions of the PSD Permit No. R10PSD-OR-05-01 (the “Permit”) issued by U.S. Environmental Protection Agency, Region 10 (the “Region”) to Diamond Wanapa I., L.P. (“Diamond”). The Permit would authorize Diamond to construct the Wanapa Energy Center on land held in trust by the United States Government for the Confederated Tribes of the Umatilla Indian Reservation near Umatilla, Oregon. On September 26, 2005, ODEQ filed a short one-sentence letter requesting that its petition be withdrawn. Accordingly, ODEQ’s petition is hereby dismissed with prejudice.

So ordered.

Dated: ENVIRONMENTAL APPEALS BOARD

By: _____
Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of Diamond Wanapa I., L.P., PSD Appeal No. 05-07, were sent to the following persons in the manner indicated:

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