

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

In re:)	
)	
Potomac Electric Power Company,)	NPDES Appeal No. 00-34
)	
NPDES Permit No. DC 000094)	
)	

ORDER GRANTING JOINT MOTION TO DISMISS PETITION FOR REVIEW

On December 22, 2000, the Potomac Electric Power Company ("PEPCO") filed a petition requesting that the Environmental Appeals Board review the conditions set forth in the final NPDES Permit No. DC 000094 (the "Permit") issued by U.S. EPA Region III (the "Region") to PEPCO with respect to PEPCO's Benning Road Generating Station, located in the District of Columbia. Before the Board at this time is a Joint Motion to Dismiss Petition For Review filed by PEPCO and the Region. In their motion, the parties state that they have reached an agreement resolving their disputes and that the Region has withdrawn certain contested permit conditions.

Accordingly, for good cause shown, the parties' joint motion to dismiss PEPCO's petition is hereby granted. PEPCO's petition is hereby dismissed as moot.

So ordered.

Dated: 05/29/01

ENVIRONMENTAL APPEALS BOARD

By: _____/s/_____
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Joint Motion to Dismiss Petition For Review in the matter of Potomac Electric Power Company, NPDES Appeal No. 00-34, were sent to the following persons in the manner indicated:

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Dated: 05/29/01

_____/s/
Annette Duncan
Secretary