

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

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In re:))
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UtiliCorp United, Inc.,) CAA Permit Appeal Nos. 99-2 & 00-4
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_____))

ORDER GRANTING MOTION TO WITHDRAW PETITIONS FOR REVIEW

UtiliCorp United, Inc. ("UtiliCorp"), the petitioner in CAA Permit Appeal Nos. 99-2 and 00-4, has filed a motion seeking to withdraw its petitions for review of the permitting decisions made by U.S. EPA Office of Air and Radiation ("OAR") on November 19, 1999, and March 6, 2000. Both of these decisions by OAR relate to UtiliCorp's proposed methods for complying with certain emissions monitoring requirements under 40 C.F.R. part 75 with respect to UtiliCorp's generating station located at Sibley, Missouri (the "Sibley Generating Station").

UtiliCorp states further that it has engaged in discussions with OAR intended to lead to resolution of these matters and to resolution of an Amended Administrative Compliance Order issued by U.S. EPA Region VII on May 19, 2000. UtiliCorp states further that OAR made a determination on February 8, 2001, that the emissions monitoring system for Sibley Generating Station Unit 3 meets the performance requirements of 40 C.F.R. part 75 and that, based upon this determination, UtiliCorp seeks to withdraw its

petitions in these related appeals. UtiliCorp states further that it has discussed its motion with counsel for OAR and that OAR does not oppose UtiliCorp's motion to withdraw its petitions for review.

Upon consideration, UtiliCorp's Motion to Withdraw Petitions for Review is hereby granted. UtiliCorp's petitions for review in CAA Permit Appeal Nos. 99-2 and 00-4 are hereby withdrawn with prejudice.

So ordered.

ENVIRONMENTAL APPEALS BOARD

By: _____/s/_____
Edward E. Reich,
Environmental Appeals Judge

Dated: 02/15/01

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion to Withdraw Petitions for Review in the matter of UtiliCorp United, Inc., CAA Permit Appeal Nos. 99-2 & 00-4, were sent to the following persons in the manner indicated:

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Dated: 02/15/01

_____/s/
Annette Duncan
Secretary