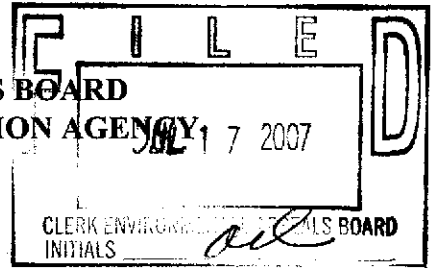


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re: )  
)  
)  
Town of Marion, Massachusetts ) NPDES Appeal No. 06-15  
)  
)  
NPDES Permit No. MA0100030 )  
)

**ORDER DISMISSING PETITION FOR REVIEW**

On July 13, 2007, the Town of Marion, Massachusetts, petitioner, filed a notice of withdrawal of its petition for review in the above-captioned matter, along with a joint motion with Region I of the U.S. Environmental Protection Agency to dismiss the appeal in its entirety on the ground that the appeal is moot. The parties report that they successfully settled their differences through a permit modification issued by Region I on May 22, 2007, which has not been appealed by any other entity and which thus is free to go into effect pursuant to their agreement.

For good cause shown, the petition for review of NPDES Permit No. MA0100030 is hereby **DISMISSED WITH PREJUDICE**.

So ordered.

Dated: July 17, 2007

**ENVIRONMENTAL APPEALS BOARD**  
By: Anna L. Wolgast  
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 *Town of Marion*, NPDES Appeal No. 06-15, were sent to the following persons in the manner indicated:

**By First Class U.S. Mail:**

Robert C. Zora  
Superintendent of Public Works  
Town of Marion Department of Public Works  
50 Benson Brook Road  
Marion, Massachusetts 02738

Bill McConnell, Esq.  
Camp Dresser McKee  
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**By Facsimile and EPA Pouch Mail:**

Samir Bukhari, Attorney Advisor  
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Boston, Massachusetts 02114-2023  
telephone: (617) 918-1095  
facsimile: (617) 918-0095

Dated:           JUL 17 2007          

  
\_\_\_\_\_  
Annette Duncan  
Secretary