

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

In re:)
)
)
U.S. Department of Energy) NPDES Appeal No. 00-25
)
Kaiser-Hill Company, L.L.C.,)
)
and Rocky Flats Closure Site)
Services, L.L.C.)
)
NPDES Permit No. CO-0001333)
)
)

ORDER GRANTING JOINT MOTION TO DISMISS

On May 1, 2001, the Environmental Appeals Board (the "Board") received a joint motion from the United States Department of Energy, Rocky Flats Field Office, Kaiser-Hill Company, L.L.C., Rocky Flats Closure Site Services, L.L.C., and EPA Region VIII (the "parties") requesting that the permit appeal be dismissed. The parties state in their motion that they have reached a settlement for modifying the permit at issue in this appeal, that the modified permit has been issued consistent with this agreement, and that they request that this matter be dismissed. See Joint Motion to Dismiss Appeal at 2.

Accordingly, the Board grants the parties' joint motion to dismiss this appeal and dismisses the appeal with prejudice.

So ordered.

ENVIRONMENTAL APPEALS BOARD

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

Dated: 05/03/01

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting the Joint Motion to Dismiss in the Matter of U.S. Department of Energy, *et al.*, NPDES Appeal No. 00-25, were sent to the following persons in the manner indicated:

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Dated: 05/03/01

_____/s/
Annette Duncan
Secretary