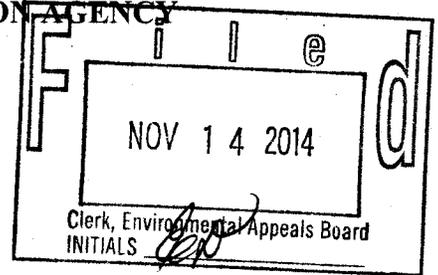


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC**



In re:)

Los Alamos National Laboratory)

NPDES Permit No. NM 0028355)

NPDES Appeal Nos. 14-02

ORDER STAYING APPEAL

On September 15, 2014, the United States Department of Energy and Los Alamos National Security, LLC, filed a Petition for Review as to NPDES Permit No. NM 0028355 (“the Permit”) issued by U.S. Environmental Protection Agency, Region 6. Following informal settlement discussions, Petitioners and EPA Region 6 (collectively, the “Parties”) have jointly requested that the Board stay this proceeding to allow EPA Region 6 time to modify the Permit. Having reviewed the motion filed by the Parties, the Board directs that:

1. NPDES Appeal No.14-02 is stayed until April 30, 2015 to provide time for EPA Region 6 to (1) propose to modify the Permit by deleting the monitoring requirements and effluent limitations for selenium at Outfall 03A048; and (2) issue a final modified permit.

2. No later than March 31, 2015, the Parties shall provide timely written notice to the Board regarding the status of the Permit modification and whether it is appropriate to continue the stay for the Petition or establish a schedule for EPA Region 6’s response to the Petition.

3. If a final modified permit is issued deleting the monitoring requirements and effluent limitations for selenium at Outfall 03A048, the Petitioners shall, within thirty days of the issuance of the final modified permit, file a motion with the Board requesting dismissal of this appeal.

So ordered.

Dated:

November 14, 2014

ENVIRONMENTAL APPEALS BOARD

By: *Kathie A. Stein*

Kathie A. Stein
Environmental Appeals Board

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Staying Appeal** in the matter of Los Alamos National Laboratory, NPDES Appeal No. 14-02 were sent to the following persons in the manner indicated:

By U.S. First Class Mail:

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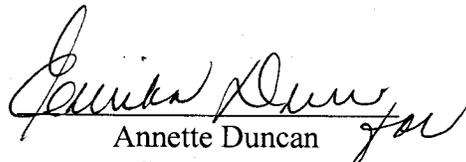
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Dated: 11/14/2014


Annette Duncan
Secretary