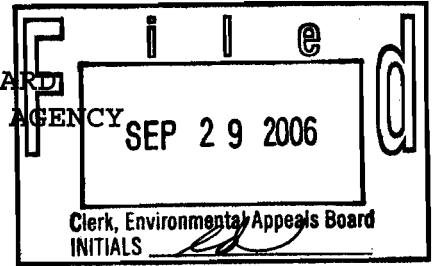


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
))
South Carolina Electric &)
Gas Company - Cope Station)
))
Permit No. SC00457752)
_____)

NPDES Appeal No. 06-09

ORDER GRANTING SECOND JOINT MOTION
TO STAY THE PETITION

On September 28, 2006, the parties in the above-captioned matter, U.S. EPA Region IV (the "Region") and South Carolina Electric & Gas, filed a second joint motion requesting to stay the proceedings in this case until November 30, 2006. On August 28, 2006, the Environmental Appeals Board ("Board") issued an order granting the parties' request to stay the proceedings and extend the Region's deadline to file its response to the petition until September 29, 2006.¹ In their first request, the parties explained that they had engaged in discussions and that additional time was necessary to work toward resolution of the issues South Carolina Electric & Gas raised in its petition. In support of their second request, the parties explain that they have negotiated a proposed

¹ See Order Granting Joint Motion to Stay the Petition (EAB, Aug. 28, 2006) available at <http://www.epa.gov/eab/>.

modification to Permit No. SC00457752 (the permit object of this appeal), which should resolve the issues raised in the petition. The parties further explain that the Region is preparing a Notice of Permit Modification that will be published reflecting the proposed modification(s) and absent any challenges or delays the Region expects the permit to be issued by December 22, 2006. The parties also represent that they will report to the Board on the status of the modification by October 30, 2006.

For good cause shown, the Board hereby grants the parties' request to stay the proceedings until November 29, 2006. If the parties do not reach resolution of the matters raised in the petition by such date, the Region must then file a response to the petition no later than November 30, 2006.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

Sept. 29, 2006

By: _____

Kathie A. Stein

Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Second Joint Motion to Stay the Petition in the matter of South Carolina Electric & Gas Company - Cope Station, NPDES Appeal No. 06-09, were sent to the following persons in the manner indicated:

**By First Class Mail Postage Prepaid
and via fax:**

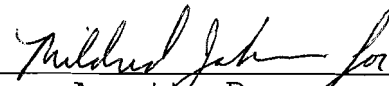
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Dated: SEP 29 2006



Annette Duncan
Secretary