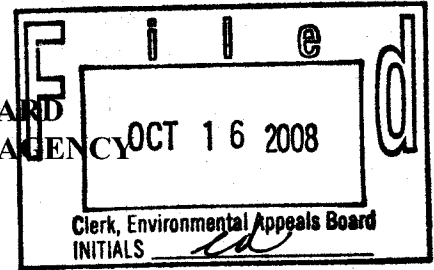


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



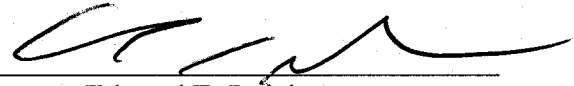
In re:)
)
)
Mirant Kendall, LLC,) NPDES Appeal Nos. 06-12
Mirant Kendall Station) and 06-13
)
)
NPDES Permit No. MA0004898)
)

**ORDER GRANTING UNOPPOSED MOTION
FOR FOURTH STAY OF PROCEEDINGS**

On October 14, 2008, Region 1 of the U.S. Environmental Protection Agency filed a status report and motion to extend the stay of proceedings in the above-captioned matter. With the assent of petitioners Mirant Kendall, LLC, Conservation Law Foundation, and Charles River Watershed Association, the Region seeks an additional five weeks' stay – until November 21, 2008 – to finalize a pending proposed permit modification and the accompanying response to public comments received on that modification.

In the interest of judicial economy and for good cause shown, the Environmental Appeals Board hereby grants the motion and extends the stay of proceedings. The Region shall file a status report no later than **Friday, November 21, 2008**. This status report shall advise whether the Board should extend the stay for another period of time, establish a revised briefing schedule, or take other appropriate action. The petitioners shall file their responses to the Region's status report no later than seven days after the filing of that report.

So ordered.
Dated: 10/16/08

ENVIRONMENTAL APPEALS BOARD
By: 
Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Unopposed Motion for Fourth Stay of Proceedings** in the matter of *Mirant Kendall, LLC, Mirant Kendall Station*, NPDES Appeal Nos. 06-12 and 06-13, were sent to the following persons in the manner indicated:

By Facsimile and First Class U.S. Mail:

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Dated: OCT 16 2008



Annette Duncan
Secretary