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January 25, 2011

VIA CDX ELECTRONIC FILING

Eurika Durr, Clerk of the Board
Environmental Appeals Board
U.S. Environmental Protection Agency

Re: NPDES Appeal No. 06-13
NPDES Permit No. MA 0004898
Mirant Kendall, LLC

Dear Ms. Durr:

Enclosed please find Conservation Law Foundation's and Charles River Watershed Association's Motion to Withdraw its Petition for Review in the above-captioned case.

Sincerely,

Peter Shelley
Conservation Law Foundation
62 Summer Street
Boston, MA 02110
617-850-1754
Email: phelley@clf.org

cc: Ralph A. Child, Esq., Mintz, Levin, Cohn, Ferris Glovsky and Popeo, P.C.
Kristy A. Bulleit, Esq., Hunton & Williams LLP
Ronald Fein, U.S. EPA
Robert Brown, Esq., Massachusetts Department of Environmental Protection

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

_____)	
In re: Mirant Kendall, LLC)	
Mirant Kendall Station)	NPDES Appeal No. 06-13
_____)	
NPDES Permit No. MA 0004898)	
_____)	

**CONSERVATION LAW FOUNDATION’S AND CHARLES RIVER WATERSHED
ASSOCIATION’S MOTION FOR LEAVE TO WITHDRAW PETITION FOR REVIEW**

Conservation Law Foundation (“CLF”), and Charles River Watershed Association (“CRWA”) (collectively, “Petitioners”) hereby move that Petitioner’s petition for review in the above-caption matter be withdrawn and that the Environmental Hearing Board issue an order dismissing the appeal forthwith. As grounds for this motion, Petitioners state that all issues raised in their petition have been resolved to their satisfaction. Petitioners further state that from their perspective, a hearing on this motion is not necessary.

Respectfully submitted,

**CONSERVATION LAW FOUNDATION, INC.
CHARLES RIVER WATERSHED ASSOCIATION**

By their attorney,



Peter Shelley, Esq.
Conservation Law Foundation
62 Summer Street
Boston, MA 02110
(617) 850-1754
pshelley@clf.org

Dated: January 25, 2011

Certificate of Service

I, Peter Shelley, hereby certify that copies of the foregoing Motion for Leave Withdraw Petition for Review were sent today to the following persons in the manner described below:

Filed through CDX electronic system:

Eurika Durr, Clerk of the Environmental Appeals Board

Copy by e-mail:

Ronald A. Fein, Esq.

Ralph A. Child, Esq.

Kristy A. Bulleit, Esq.

Robert Brown, Esq.

Signed: January 25, 2011