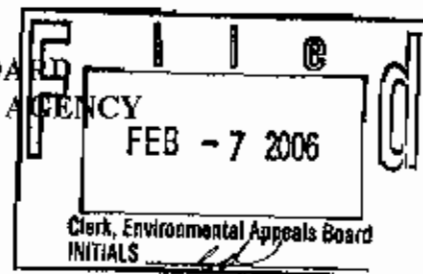


16

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



In re:)
)
Beacon Park Yard) NPDES Appeal No. 05-13
(CSX Transportation, Inc.)
)
Permit No. MA0025704)
_____)

ORDER DISMISSING PETITION FOR REVIEW

On February 3, 2006, U.S. Environmental Protection Agency Region I and CSX Transportation, Inc. ("CSXT") filed a status report, notice of withdrawal of the petition for review, and joint motion to dismiss the above-captioned matter. The parties report that they have successfully settled the issues raised in the petition. Accordingly, CSXT's petition for review of NPDES Permit No. MA0025704 is hereby **DISMISSED WITH PREJUDICE**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: February 7, 2006

By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of Beacon Park Yard (CSX Transportation, Inc.), NPDES Appeal No. 05-13, were sent to the following persons in the manner indicated:

By Certified Mail, Return Receipt Requested and
Facsimile:

Thomas Anderson, Counsel
CSX Transportation, Inc.
500 Water Street, J-150
Jacksonville, FL 32202
Fax No.: (904) 357-7718

By Pouch Mail and Facsimile:

Jeanhee Hong, Counsel
Office of Regional Counsel
U.S. EPA Region I (RAA)
One Congress, St. -Suite 1100
Boston, MA 02114-2023
Fax No.: (617) 918-0787

Dated: FEB - 7 2006


Annette Duncan
Secretary