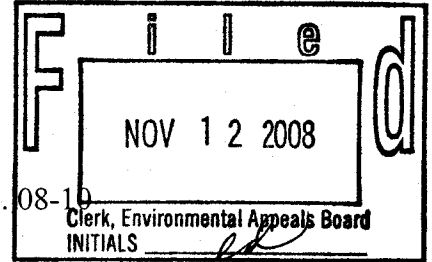


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)
)
)
Mirant Canal, LLC)
)
)
NPDES Permit No. MA0004928)
)
)

NPDES Appeal No. 08-10



ORDER SCHEDULING STATUS CONFERENCE

After reviewing the briefs and exhibits filed to date in NPDES Appeal No. 08-10, the Environmental Appeals Board has determined that a status conference would be beneficial at this juncture. Accordingly, counsel for Mirant Canal, LLC, and Region 1 of the U.S. Environmental Protection Agency, the parties to this appeal, are hereby requested to participate in such a conference beginning at 10 a.m. EST on Wednesday, November 19, 2008. The Board will initiate the status conference from the Administrative Courtroom, U.S. Environmental Protection Agency, EPA East Building, 1201 Constitution Avenue, N.W., Room 1152, Washington, D.C. Counsel may choose to appear in person in the Courtroom or may participate via telephone or video-conferencing equipment. Counsel must contact the Clerk of the Board in writing no later than Monday, November 17, 2008, to advise how they wish to participate in the conference and to provide telephone numbers or other contact information as appropriate.

So ordered.

Dated: 11/12/08

ENVIRONMENTAL APPEALS BOARD

By: [Signature]

Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Scheduling Status Conference** in the matter of *In re Mirant Canal, LLC*, NPDES Appeal No. 08-10, were sent to the following persons in the manner indicated:

By Facsimile and First Class U.S. Mail:

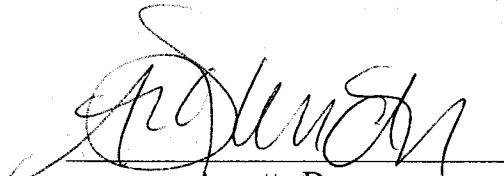
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Date: NOV 12 2008


Annette Duncan
Secretary