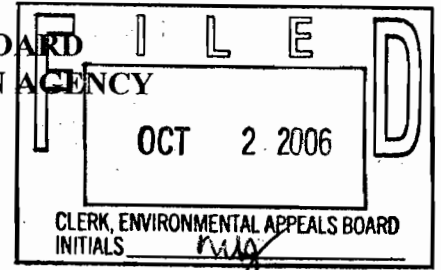


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
)
Brockton Advanced Water)
Reclamation Facility)
)
NPDES Permit No. MA0101010)
)
)

NPDES Appeal No. 05-04

ENVIR. APPEALS BOARD

2006 OCT 18 PM 12: 27

RECEIVED
U.S. E.P.A.

ORDER DISMISSING PETITION FOR REVIEW

On September 27, 2006, counsel for EPA Region I and petitioners Timothy and Douglas Watts filed a joint motion to withdraw the petition for review in the above-captioned matter. The parties report that they, along with the City of Brockton, Massachusetts, have successfully concluded settlement negotiations and that a consent decree memorializing the outcome of those negotiations was entered in federal court on September 25, 2006.

For good cause shown, the petition for review of NPDES Permit No. MA0101010 is hereby **DISMISSED WITH PREJUDICE**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: OCT 2 2006

By: Scott C. Fulton
Scott C. Fulton
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Dismissing Petition for Review** in the matter of Brockton Advanced Water Reclamation Facility, NPDES Appeal No. 05-04, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

Timothy A. Watts
633 Wareham Street
Middleboro, Massachusetts 02346
telephone: (508) 946-6191

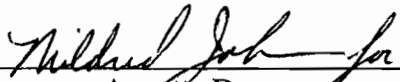
Douglas H. Watts
38 Northern Avenue
Augusta, Maine 04330
telephone: (207) 626-8178

George E. Olson, Esq.
Edwards Angell Palmer & Dodge, L.L.P.
111 Huntington Avenue
Boston, Massachusetts 02199-7613
telephone: (617) 239-0100

By EPA Pouch Mail:

Samir Bukhari, Attorney Advisor
U.S. Environmental Protection Agency, Region I
One Congress Street, Suite 1100 (RAA)
Boston, Massachusetts 02114-2023
telephone: (617) 918-1095
facsimile: (617) 918-0095

Date: OCT 2 2006


Annette Duncan
Secretary