

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

In re:)	
)	
Town of Marion)	
)	NPDES Appeal No. 17-02
Permit No. MA0100030)	
)	

MOTION FOR VOLUNTARY DISMISSAL OF PETITION

On May 15, 2017, pursuant to 40 C.F.R. § 124.19, the Town of Marion (“Marion”) filed a Petition for Review by the Environmental Appeals Board of NPDES Permit No. MA0100030 issued by the Environmental Protection Agency Region 1 (the “EPA”). The EPA and Marion have reached a settlement and mutually agreed to execute an Administrative Order on Consent. Accordingly, pursuant to 40 C.F.R § 124.19(k), Marion respectfully requests that the Board dismiss its Petition for Review of the above-captioned NPDES Permit.



Matthew J. Connolly
mconnolly@nutter.com
Michael A. Leon
mleon@nutter.com
Gary L. Gill-Austern
ggill-austern@nutter.com
Nutter McClennen & Fish, LLP
Seaport West, 155 Seaport Blvd.
Boston, Massachusetts 02210
Telephone: (617) 439-2000

October 25, 2017

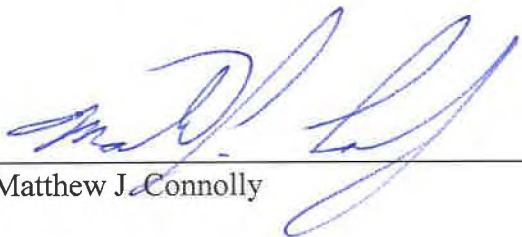
Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on October 25 2017, a copy of the foregoing document was served by first-class mail and email on the persons identified below:

Michael Curley, Esq.
U.S. Environmental Protection Agency
5 Post Office Square
Boston, MA 02109
curley.michael@epa.gov

Mark A. Chertok, Esq.
Sive, Paget & Reisel, P.C.
560 Lexington Ave., 15th Floors
New York, NE 10022
mchertok@sprlaw.com



Matthew J. Connolly

3708454