

ALSTON & BIRD LLP

One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424

404-881-7000
Fax: 404-881-7777
www.alston.com

RECEIVED
U.S. E.P.A.

2006 MAR -7 AM 10:39

ENVIR. APPEALS BOARD

Lee A. DeHihns, III

Direct Dial: 404-881-7151

E-mail: ldehahns@alston.com

March 6, 2006

**VIA UPS
NEXT DAY DELIVERY**

Ms. Eurika Durr
U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
1341 G Street, N.W., Sixth Floor
Washington, D.C. 20005

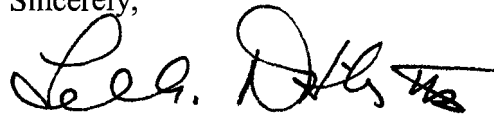
Re: In re: Milliken & Company; NPDES Appeal No. 06-04

Dear Ms. Durr:

Enclosed please find an original and five copies of "Notice of Withdrawal of Petition," which we ask be filed with the Board this date in connection with the above-referenced matter. Also enclosed is a 6th copy and a self-addressed, postage-paid envelope to return a stamped copy to us for our files.

Thank you for your assistance with this matter. Should you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,



Lee A. DeHihns, III

LAD:gba
Enclosures
ATL01/12163308v1
Cc: (w/encl.)
Philip B. Mancusi-Ungaro
Attorney Advisor
U.S. EPA – Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
704-444-1000
Fax: 704-444-1111

90 Park Avenue
New York, NY 10016
212-210-9400
Fax: 212-210-9444

3201 Beechleaf Court, Suite 600
Raleigh, NC 27604-1062
919-862-2200
Fax: 919-862-2260

601 Pennsylvania Avenue, N.W.
North Building, 10th Floor
Washington, DC 20004-2601
202-756-3300
Fax: 202-756-3333

RECEIVED
U.S. E.P.A.

2006 MAR -7 AM 10:39

ENVIR. APPEALS BOARD

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

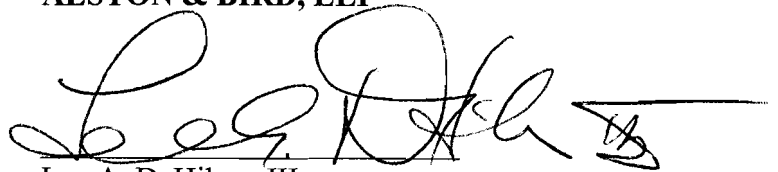
_____))
In re: MILLIKEN & COMPANY) NPDES Appeal No. 06-04
))
NPDES Permit No. SC 0000 353))
_____))

NOTICE OF WITHDRAWAL OF PETITION

Petitioner, Milliken & Company (“Milliken”) notifies the Environmental Appeals Board that it is withdrawing the January 5, 2006 Petition For Review regarding the above NPDES Permit (“Permit”). The EAB entered an Order Granting Stay on February 16, 2006 to allow the proposed modification to the Permit to be processed. Also, on February 16, 2006 EPA issued the modified Permit. As stated in the Joint Motion To Stay the Petition, the modified Permit does resolve all issues raised in the Petition. Therefore, Milliken requests an Order dismissing the Petition. Counsel for EPA has no objection to this Notice.

Respectfully submitted this 6th day of March, 2006.

ALSTON & BIRD, LLP

A handwritten signature in black ink, appearing to read "Lee A. DeHihns, III", with a horizontal line extending to the right from the end of the signature.

Lee A. DeHihns, III
Georgia Bar No. 216259

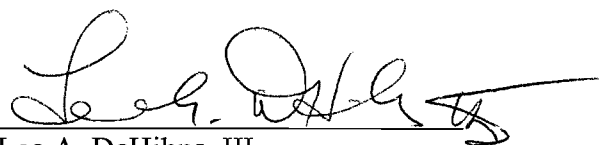
One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
(404) 881-7151

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing "Notice of Withdrawal of Petition," in the matter of Milliken & Company, NPDES Appeal No. 06-04, to the following person by mailing same in the United States mail, postage prepaid and properly addressed as follows:

Philip G. Mancusi-Ungaro
Attorney Advisor
U.S. EPA – Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

This 6th day of March, 2006.



Lee A. DeHihns, III
Georgia Bar No. 216259