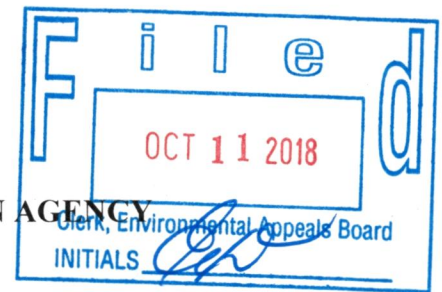


**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)

City of Harrison,)
Wastewater Treatment Plant)

Permit No. ID-0021997)
_____)

NPDES Appeal No. 18-04

ORDER DISMISSING PETITION FOR REVIEW AS MOOT

Petitioner, Idaho Conservation League (“ICL”) petitioned the Environmental Appeals Board (“Board”) to review a National Pollutant Discharge Elimination System (“NPDES”) Permit that EPA Region 10 issued to the City of Harrison for a wastewater treatment plant. The Region’s response to that petition is currently due on October 11, 2018. On October 10, 2018, U.S. EPA Region 10 moved the Environmental Appeals Board to dismiss as moot the above-captioned Petition for Review, indicating the following, as grounds for dismissal:

- The Region has withdrawn the permit provisions challenged in the petition and will issue a new draft permit pursuant to 40 C.F.R. §124.6 that will be subject to notice and comment pursuant to 40 C.F.R. §124.15(a).
- Because the contested permit provisions have been withdrawn, the issues raised in the Petition are moot.
- 40 C.F.R. § 124.19(j) provides that, at any time prior to thirty days after the Region files its response brief, the Region may withdraw portions or all of a contested permit and prepare a new draft permit under § 124.6 addressing the portions of the permit that have been withdrawn.
- Petitioner ICL supports this motion.


Having considered the motion and the representations therein, the Region's Motion is GRANTED and the Petition for Review is DISMISSED as moot.

So ordered.

OCT 11 2018

Dated: _____

ENVIRONMENTAL APPEALS BOARD¹

By: 
Mary Kay Lynch
Environmental Appeals Judge

¹ The three-member panel deciding this matter is composed of Environmental Appeals Judges Aaron P. Avila, Mary Kay Lynch and Kathie A. Stein.

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Dismissing Petition for Review as Moot* in the matter of City of Harrison Waste Water Treatment Plant, NPDES Appeal No. 18-04, were sent to the following persons in the manner indicated:

**By First Class Certified Mail/
Return Receipt Requested:**

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Dated: OCT 11 2018



Annette Duncan
Administrative Specialist