



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

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ENVIR. APPEALS BOARD

March 30, 2007

Eurika Durr, Clerk of the Board
Environmental Appeals Board 1103B
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Re: Town of Rockland Wastewater Treatment Plant
NPDES Appeal Number 06-06

Dear Ms. Durr:

Enclosed please find one original and five copies of the Motion to Withdraw Petition for Review, which the Petitioner requested me to file, with respect to the above referenced NPDES permit appeal.

Thank you for your attention to this matter.

Sincerely,

Ann H. Williams
Senior Assistant Regional Counsel

Enclosures

cc: Samantha Woods, Executive Director, NSRWA
Gary Thomas, Esq.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
1 Congress Street, Suite 1100
BOSTON, MA 02114-2023

FACSIMILE TRANSMISSION

RESTRICTED INFORMATION

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From: Ann Williams, Office of Regional Counsel

Ph: 617-918-1097

Fax: 617-918-1029

Date: March 30, 2007

Number of pages including cover: 6

To: Eurika Durr, Clerk of the Board, EPA Environmental Appeals Board

Fax: 202-233-0121

Ph: 202-233-0122

To: Gary Thomas, Kethro & Thomas, PC

Fax: 781-826-3173

Ph: 781-826-4450

Message: Enclosed please find the Motion to Withdraw Petition for Review in the matter of Town of Rockland Wastewater Treatment Plant, NPDES Appeal No. 06-06, with accompanying Certificate of Service and Transmittal Letter.

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

In the Matter of:

Town of Rockland Wastewater
Treatment Plant

NPDES Appeal No. 06-06

NPDES Permit No: MA0101923

MOTION TO WITHDRAW PETITION FOR REVIEW

COMES NOW the Petitioner, the North and South Rivers Watershed Association, Inc., and respectfully submits to the Environmental Appeals Board (the "Board") this Motion to Withdraw Petition for Review.

IN SUPPORT HEREOF, the Petitioner states as follows:

1. On January 26, 2006, Region I of the US Environmental Protection Agency ("Region") reissued a National Pollutant Discharge Elimination System ("NPDES") Permit No. MA0101923 (the "Permit") to the Town of Rockland, Massachusetts authorizing wastewater discharges from the Rockland Wastewater Treatment Plant into the French Stream and establishing effluent limitations, monitoring requirements, and other conditions for such discharges.
2. On March 1, 2006, the Petitioner filed a Petition for Review by the Board contesting the Permit's compliance schedule, effluent limitations for nutrients, and infiltration/inflow control plan. In response, the Board directed the Region to submit a

response by April 21, 2006 that addressed the Petitioner's contentions and whether the Petitioner had satisfied the requirements for obtaining review.

3. On April 10, 2006, June 27, 2006, October 24, 2006 and February 20, 2007, the Board granted the parties stays of these proceedings until June 20, 2006, October 20, 2006, February 20, 2007 and April 1, 2007, respectively, to enable to the parties to continue negotiations toward a settlement of the issues raised in the Petition for Review.

4. The parties reached an agreement on the terms of a settlement that involved issuance by the Region of a Permit Modification that would, among other things, revise the compliance schedule for meeting the Permit's phosphorus and ammonia limitations.

5. On February 15, 2007, the Region issued a final Permit Modification addressing the issues raised in the Petition for Review, which will take effect on April 1, 2007.

6. The Town of Rockland has not filed an Appeal of the Permit Modification, and the appeal period has expired.

7. Because the final Permit Modification will take effect on April 1, 2007 and is consistent with the parties' settlement agreement, the Petitioner hereby moves to withdraw its Petition for Review.

8. The Petitioner further states that the Region has assented to this Motion to Withdraw Petition for Review, as indicated by its assent set forth below.

WHEREFORE, the Petitioner respectfully requests that this Board grant this Motion to Withdraw its Petition for Review.

DATED this 29 day of March, 2007.

Respectfully submitted,

North & South Rivers Watershed
Association, Inc



Gary D. Thomas, Esq.
Kethro & Thomas, P.C.
1165 Washington Street
Hanover, MA 02339
Phone: (781) 826-4450
Fax: (781) 826-3173

ASSENTED TO:

United States EPA/Region I



Ann H. Williams, Esq.
Senior Assistant Regional Counsel
US EPA Region I (RAA)
One Congress Street - Suite 1100
Boston, MA 02114-2023
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

In re: Town of Rockland Wastewater Treatment Plant
NPDES Appeal Number 06-06

CERTIFICATE OF SERVICE

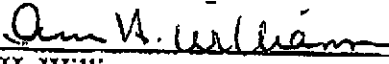
I hereby certify that I served the Motion to Withdraw Petition for Review in the above-captioned matter by facsimile and by mailing one original and five copies by First Class Mail on this 30 day of March, 2007 to the Environmental Appeals Board (MC 1103B), Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-0001; and that a true copy of the foregoing was sent by facsimile and by First Class Mail, postage prepaid, to:

Gary Thomas, Esq.
Kethro & Thomas, P.C.
1165 Washington Street
Hanover, MA 02339

and that a true copy of the foregoing was sent by First Class Mail, postage prepaid, to:

Samantha Woods, Executive Director
North & South Rivers Watershed Association
P.O. Box 43
Norwell, MA 02061

Date: March 30, 2007


Ann H. Williams
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