



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

**By FAX and Regular Mail**

November 17, 2008

U.S. Environmental Protection Agency  
Eurika Durr, Clerk of the Board  
Environmental Appeals Board  
Colorado Building  
1341 G Street, N.W., Suite 600  
Washington, D.C. 20005

**Re: In re Mirant Canal, LLC; Appeal Number NPDES 08-10**

Dear Ms. Durr:

In accordance with the Environmental Appeals Board's "Order Scheduling Status Conference," in the above-referenced permit appeal, Region 1 of the U.S. Environmental Protection Agency submits this letter to inform the Board how the Region plans to participate in the status conference. The undersigned counsel for Region 1 will attend the conference in person at the Administrative Courtroom, and expects to be accompanied by Stephen S. Perkins, Director of Region 1's Office of Ecosystem Protection, and an attorney from EPA's Office of General Counsel. I also have informed Mirant's counsel of our intent to attend the status conference in person.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark A. Stein".

Mark A. Stein  
Senior Assistant Regional Counsel  
Office of Regional Counsel

cc: James N. Christman, Esq., Hunton & Williams (Counsel for Mirant)  
Ralph A. Child, Esq., Mintz Levin, et al. (Counsel for Mirant)