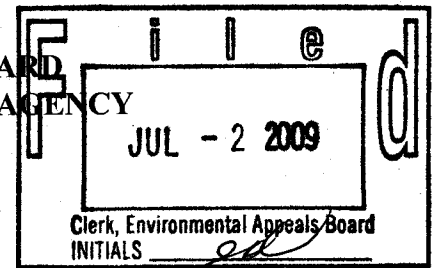


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



\_\_\_\_\_  
In re: )  
          ) )  
City of Manchester, N.H. ) NPDES Appeal No. 08 – 21  
          ) )  
NPDES Permit No. NH0100447 )  
\_\_\_\_\_) )

**ORDER DISMISSING PETITION FOR REVIEW**

On July 1, 2009, the petitioner in the above-captioned matter, the City of Manchester, New Hampshire (“City”), filed a Notice of Withdrawal of Petition for Review. Notice of Withdrawal of Petition for Review (July 1, 2009) at 1 (“Motion”). One day prior, on June 30, 2009, with the assent of the City, the United States Environmental Protection Agency, Region 1 (“Region”) filed a Status Report (“Report”), stating that the parties have reached agreement on a revised draft administrative compliance order that will resolve the City’s remaining challenges to the Permit. Report at 2. In the Report, the Region requested that the Board further extend the stay of proceedings until July 10, 2009, to enable the City to file with the Board a notice of withdrawal of its petition for review under the City’s own signature. *Id.* at 3. Due to the Board’s receipt of the City’s Motion, the request for an extension of the stay of proceedings is moot.

In light of the City's request for withdrawal of the petition for review, the Motion is granted. The City's petition for review is hereby dismissed with prejudice.

So ordered.

Dated: *July 2, 2009*

**ENVIRONMENTAL APPEALS BOARD**

By: *Kathleen A. Stein for Anna L. Wolgast*  
Anna L. Wolgast  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of City of Manchester, N.H., NPDES Appeal No. 08-21, were sent to the following persons in the manner indicated:

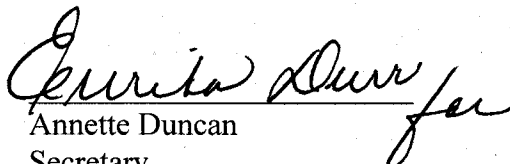
**By Pouch Mail and FAX:**

Ronald A. Fein  
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Chief Engineer  
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Environmental Protection Division  
300 Winston Street  
Manchester, N.H. 03103  
Fax: (603) 628-6234

Dated: 7/2/2009

  
Annette Duncan  
Secretary