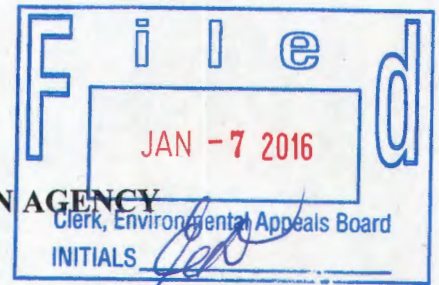


ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
)
Lee Ranch Coal Company) NPDES Appeal No. 14-04
(El Segundo Mine))
)
NPDES Permit No. NM0030996)
_____)

ORDER DISMISSING PETITION FOR REVIEW

On December 29, 2015, petitioner Lee Ranch Coal Company filed a motion to dismiss its petition for review in the above-captioned matter pursuant to 40 C.F.R. § 124.19(k). Petitioner Lee Ranch Coal Company's Motion to Dismiss Petition for Review (Dec. 29, 2015). Lee Ranch Coal Company states that it reached a settlement agreement with U.S. Environmental Protection Agency Region 6, and that the executed settlement agreement resulted in a permit modification proceeding that resolved the parties' disagreements over the contested permit conditions. *Id.* at 2.

For good cause shown, the petition for review in the above-captioned matter is dismissed with prejudice.

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Dated: January 7, 2016

By: *Leslye M. Fraser*
Leslye M. Fraser
Environmental Appeals Judge

¹ The panel deciding this matter is comprised of Environmental Appeals Judges Leslye M. Fraser, Mary Kay Lynch, and Kathie A. Stein. 40 C.F.R. § 1.25(e)(1).

CERTIFICATE OF SERVICE

I certify that copies of the foregoing Order Dismissing Petition for Review in the matter of *Lee Ranch Coal Co.*, NPDES Appeal No. 14-04, were sent to the following persons in the manner indicated:

By EPA Pouch Mail and Facsimile:

David Gillespie
Assistant Regional Counsel
U.S. EPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202
Facsimile: (214) 665-2182

By First Class Mail Return Receipt Requested and Facsimile:

Craig A. Moyer
Peter R. Duchesneau
Manatt, Phelps & Phillips, LLP
11355 West Olympic Boulevard
Los Angeles, CA 90064
Facsimile: (310) 312-4224

CC By Interoffice Mail:

Kevin Minoli
Principal Deputy General Counsel
Office of General Counsel
Mail Code 2310A
1200 Pennsylvania Avenue NW
Washington, DC 20460

Michael Shapiro
Principal Deputy Assistant Administrator
Office of Water
Mail Code 4101M
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dated: *January 7, 2016*

Annette Duncan
Annette Duncan
Secretary to the Board