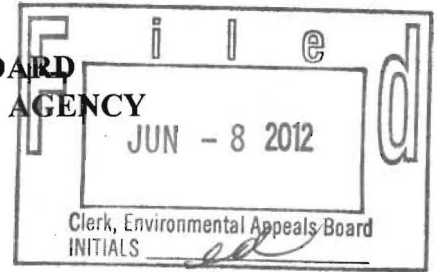


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



_____)
In re:)
)
Lander Street Wastewater Treatment)
Facility)
)
NPDES Permit No. ID 0020443)
)
_____)

NPDES Appeal No. 12-01

ORDER DISMISSING PETITION FOR REVIEW

On March 15, 2012, U.S. Environmental Protection Agency Region 10 (“Region”) issued a National Pollutant Discharge Elimination System (“NPDES”) final permit, NPDES Permit No. ID 0020443, to the City of Boise for its Lander Street Wastewater Treatment Facility (“Facility”). Idaho Rivers United (“IRU”) filed a timely petition seeking review of the permit with the Environmental Appeals Board (“Board”).

On June 5, 2012, the Board received a motion from IRU seeking to voluntarily withdraw its petition in the above-captioned matter. In its request, Petitioner states that the Region, the City of Boise, and the Idaho Department of Environmental Quality have made commitments that apparently satisfy Petitioner’s concerns. Motion to Withdraw Appeal at 1. The Region filed a Response to Motion to Withdraw Appeal on June 6, 2012, indicating that it does not oppose IRU’s motion to withdraw. The Region also filed a motion on June 6, 2012, requesting an extension of time to file its response to the petition for review. The Region noted that should the Board grant IRU’s motion to withdraw, no response would be due from the Region. Motion for Extension of Time at 1.

For good cause shown, the Board grants Petitioner's motion to withdraw its appeal and hereby DISMISSES WITH PREJUDICE the Petition, NPDES Appeal No. 12-01, in its entirety.

The Board DENIES the Region's motion for an extension of time as moot.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: *8 June 2012*

By: *Leslye M. Fraser*

Leslye M. Fraser
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of Lander Street Wastewater Treatment Facility, NPDES Appeal No. 12-01, were sent to the following persons in the manner indicated:

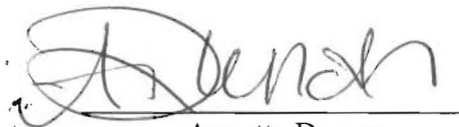
By EPA Pouch Mail

Mark A. Ryan
Assistant Regional Counsel
U.S. EPA, Region 10
Idaho Operations Office
1435 North Orchard Street
Boise, ID 83706

**By Certified First Class Mail,
Return Receipt Requested**

Rick Eichstaedt
Gonzaga Environmental Law Clinic
721 North Cincinnati Street
Spokane, WA 99220-3528

Dated: JUN - 8 2012



Annette Duncan
Secretary