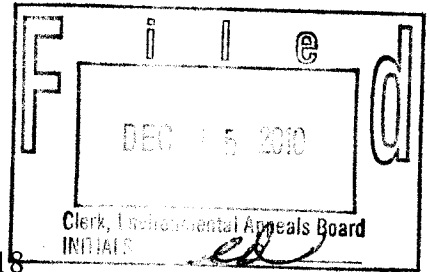


**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

\_\_\_\_\_)  
In re: )  
)  
Puerto Rico Electric )  
Power Authority )  
)  
Permit No. PR 0001660 )  
\_\_\_\_\_)

NPDES Appeal No. 10-18



**ORDER DISMISSING PETITION FOR REVIEW**

By joint motion filed with the Environmental Appeals Board (“Board”) on December 10, 2010, the Puerto Rico Electric Power Authority (“PREPA”) and U.S. EPA Region 2 (“Region”) request that the Board issue an order authorizing withdrawal of PREPA’s petition for review (“Petition”) in the above-captioned matter. Joint Motion Submitting Notice of Withdrawal of Permit Conditions Under Appeal and Requesting Withdrawal of Petition (“Joint Motion”). The Joint Motion states that the Region has agreed to withdraw the contested permit conditions and that the Region “will be preparing new draft permit conditions addressing the withdrawn portions, in compliance with the procedures provided in 40 C.F.R. §§ 124.6 through 124.18.” Joint Motion at 2. The Joint Motion states further that based on the withdrawal of the contested conditions, “PREPA is willing to withdraw the Petition.” *Id.*

For good cause shown, the Joint Motion is granted. PREPA's Petition is hereby dismissed with prejudice. This dismissal does not preclude PREPA from raising issues in a subsequent petition arising out of the modification proceeding for the permit.

So ordered.

Date:

12/15/10

ENVIRONMENTAL APPEALS BOARD



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Edward E. Reich  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing **Order Dismissing Petition for Review** in the matter of *Puerto Rico Electric Power Authority, LP*, NPDES Appeal No. 10-18, were sent to the following persons in the manner indicated:


**By First Class U.S. Mail:**

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Date: DEC 15 2010

  
\_\_\_\_\_  
Annette Duncan  
Secretary