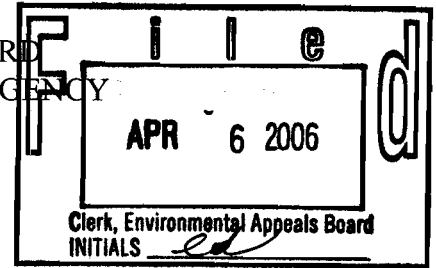


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
)
City of Marlborough Westerly)
Wastewater Treatment Facility)
)
NPDES Permit No. MA 0100480)
_____)

NPDES Appeal Nos. 05-09

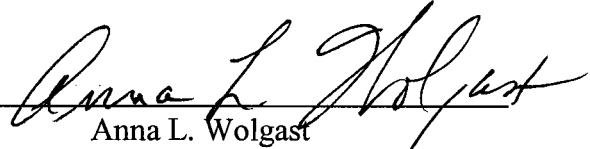
ORDER DISMISSING PETITION FOR REVIEW

By submission filed on April 6, 2006,¹ the City of Marlborough states that it is voluntarily withdrawing its Petition for Review in the above-captioned matter. See Notice of Voluntary Withdrawal. Accordingly, the City's Petition is hereby dismissed with prejudice.

So ordered.

Dated: 4/6/06

ENVIRONMENTAL APPEALS BOARD



Anna L. Wolgast
Environmental Appeals Judge

¹ Documents are "filed" with the Board on the date they are received.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of City of Marlborough Westerly Treatment Facility, NPDES Appeal No. 05-09, were sent to the following persons in the manner indicated:

By Certified Mail:

Donald L Anglehart
Gadsby Hannah, LLP
225 Franklin Street
Boston, MA 02110

By First Class Mail:

Kenneth L. Kimmell
Bernstein, Cushner & Kimmell, P.C.
585 Boylston Street, Suite 400
Boston, MA 02116

Peter Shelley
John A. Pike
John L. Davenport
Conservation Law Foundation
62 Summer Street
Boston, MA 02110-1016


By Pouch Mail:

Samir Bukhari
Office of Regional Counsel
U.S. EPA, Region I
1 Congress Street, Suite 1100
Boston, MA 02114-2023

By Interoffice Mail:

Stephen Sweeney
Office of General Counsel (2355A)

Date: APR - 6 2006



Annette Duncan
Secretary