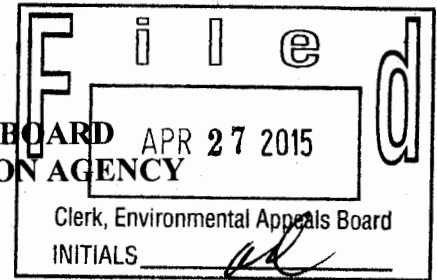


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC**



In re:)
)
)
Los Alamos National Laboratory)
)
NPDES Permit No. NM 0028355)
)
)
)
)
)

NPDES Appeal No. 14-02

ORDER DISMISSING PETITION FOR REVIEW

On September 15, 2014, the U. S. Department of Energy and Los Alamos National Security, LLC, jointly filed a Petition for Review as to NPDES Permit No. NM 0028355 issued by U.S. Environmental Protection Agency, Region 6. Following discussions between Petitioners and EPA Region 6 (collectively, "Parties"), EPA Region 6 proposed to modify the Permit to remove requirements objectionable to Petitioners. EPA Region 6 issued a final permit modification on March 27, 2015. The Parties now jointly request, by motion, that the Environmental Appeals Board dismiss the Petition.

Under 40 C.F.R. section 124.19(k), a petitioner may, by motion, request that the Board dismiss its petition. 40 C.F.R. § 124.19(k). The motion must state the reason for which

dismissal is sought. *Id.* Here, dismissal is sought because the disputed permit provision has been removed. Because no dispute remains between the Parties, the Board grants the motion for dismissal of the Petition.

So ordered.¹

Dated: *April 27, 2015*

ENVIRONMENTAL APPEALS BOARD

By: *Kathie A. Stein*
Kathie A. Stein
Environmental Appeals Board

¹ The two-member panel deciding this matter consists of Environmental Appeals Judges Leslye M. Fraser and Kathie A Stein.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Dismissing Petition for Review** in the matter of Los Alamos National Laboratory, NPDES Appeal No. 14-02 were sent to the following persons in the manner indicated:

By U.S. First Class Mail:

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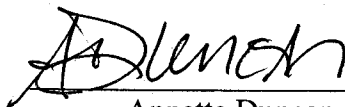
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Dated: APR 27 2015



Annette Duncan
Secretary