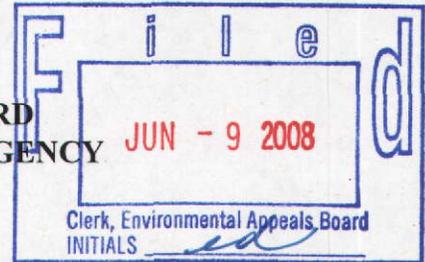


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
)
Mirant Kendall, LLC,) NPDES Appeal Nos. 06-12
Mirant Kendall Station) and 06-13
)
NPDES Permit No. MA0004898)
_____)

**ORDER GRANTING UNOPPOSED MOTION
FOR THIRD STAY OF PROCEEDINGS**

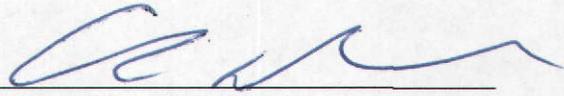
On May 27, 2008, Region 1 of the U.S. Environmental Protection Agency filed a status report and motion to extend the stay of proceedings in the above-captioned matter. The Region seeks an extension of the current stay – until October 15, 2008 – to give it sufficient time to review and draft responses to comments received on the draft permit modification for the Mirant Kendall Station, consult with interested state and federal agencies as necessary, and finalize the permit modification. The Region reports that it discussed this status report and motion for an extension with petitioners Mirant Kendall, LLC, Conservation Law Foundation, and Charles River Watershed Association and determined that none of these parties oppose the requested extension of the stay of proceedings.

In the interest of judicial economy and for good cause shown, the Environmental Appeals Board hereby grants the motion and extends the stay of proceedings. The Region shall file a status report no later than **Wednesday, October 15, 2008**. This status report shall advise whether the Board should extend the stay for another period of time, establish a revised briefing schedule, or take other appropriate action. The petitioners shall file their responses to the Region's status report no later than seven days after the filing of that report.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: June 9, 2008

By: 
Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Unopposed Motion for Third Stay of Proceedings** in the matter of *Mirant Kendall, LLC, Mirant Kendall Station*, NPDES Appeal Nos. 06-12 and 06-13, were sent to the following persons in the manner indicated:

By Facsimile and First Class U.S. Mail:

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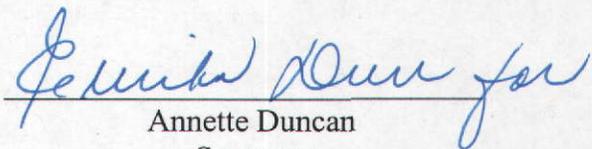
By Facsimile and EPA Pouch Mail:

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Dated: 6/9/08


Annette Duncan
Secretary