



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
FIVE POST OFFICE SQUARE – SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

VIA ELECTRONIC FILING

Eurika Durr, Clerk of the Board
Environmental Appeals Board (MC 1103B)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

Re: NPDES Appeal No. 10-17
NPDES Permit No. MA0003697
Barnhardt Manufacturing Company (Colrain, Massachusetts)

October 28, 2011

Dear Ms. Durr,

Enclosed please find the Region's Final Status Report in the above-captioned case, with an attached certificate of service. The motion and the certificate of service have also been served upon counsel of record today.

Sincerely,

Ronald A. Fein

Ronald A. Fein, Assistant Regional Counsel
U.S. Environmental Protection Agency Region 1
5 Post Office Square, Suite 100 (Mailcode ORA18-1)
Boston, MA 02109-3912
617-918-1040
Fax: 617-918-0040

cc: Peter J. Feuerbach, Esq.
Keren Schlomy, Esq.

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

In re: Barnhardt Manufacturing Company Colrain, Massachusetts)	
)	
)	NPDES Appeal No. 10-17
)	
NPDES Permit No. MA0003697)	
)	

REGION'S FINAL STATUS REPORT

Region 1 ("Region") of the United States Environmental Protection Agency (the Respondent) hereby informs the Environmental Appeals Board ("Board") that counsel for the Barnhardt Manufacturing Company ("Barnhardt," the permittee and petitioner) has informed counsel for the Region that Barnhardt intends to submit forthwith a request for a voluntary dismissal of the petition for review in this matter. Consequently, there is no need for the Board to extend the stay or grant any relief besides granting Barnhardt's forthcoming request.

Respectfully submitted,

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 1

By its attorney,

Ronald A. Fein
Ronald A. Fein, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100 (Mailcode ORA18-1)
Boston, MA 02109-3912
617-918-1040
Fax: 617-918-0040
Date: October 28, 2011

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Region's Final Status Report were sent on October 29, 2011 to the following persons in the manner described below:

Posted to CDX electronic system

Eurika Durr, Clerk of the Board
Environmental Appeals Board (MC 1103B)

Copy by e-mail

Peter J. Feuerbach, Esq.
Keren Schlomy, Esq.

Signed: October 28, 2011

Ronald A. Fein
Ronald A. Fein