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To: RECIPIENTS LIST - B&M NPDES APPEAL

FAX: _____

From: JAMISON COLBURN

FAX: 413-796-2067

RE: VOLUNTARY DISMISSAL

Number of pages, including cover sheet: 3

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

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ENVIR. APPEALS BOARD

In re:

Boston & Maine Corporation
East Deerfield, Massachusetts

NPDES Appeal No. 05-17

NOTICE OF VOLUNTARY DISMISSAL

On September 23, 2005, EPA reissued a National Pollutant Discharge Elimination System Permit, No. MA0000272, to the Boston & Maine Corporation. On October 27, 2005, Connecticut River Watershed Council, Inc., and Jamison E. Colburn ("Petitioners") filed a petition for review ("Petition") with the Environmental Appeals Board contesting various aspects of the Permit and the process leading to its issuance.

The issues presented by the Petition have been resolved by a permit modification. Petitioners now hereby voluntarily dismiss their Petition, in full.

In re: Boston & Maine Corporation (East Deerfield, Massachusetts), NPDES Appeal No. 05-17

CERTIFICATE OF SERVICE

We the undersigned hereby certify that copies of the foregoing Notice of Voluntary Dismissal were sent by facsimile and first class mail on this the 16th day of August, 2006, to the following parties:

Copy by facsimile
Original and five copies by first class mail

Erika Durr, Clerk of the Board
Environmental Appeals Board (MC1103B)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania, N.W.
Washington, D.C. 20460-0001

Fax (202) 233-0121

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John P. Curtin
Boston & Maine Corporation
Iron Horse Park
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Ron Fein, Esq.
U.S. Environmental Protection Agency—
Region I
1 Congress Street
Boston, Massachusetts 02114-2023

Fax(617) 918-0040

Dated August 16, 2006



Jamison Colburn
Associate Professor of Law



Andrea Donlon, River Steward
Connecticut River Watershed Council