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Admitted in: MA, ME, NH

May 4, 2018

VIA ELECTRONIC FILING AND OVERNIGHT MAIL

Ms. Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East Building, Room 3332
Washington, DC 20004

RE: Town of Fairhaven, MA
Motion for Voluntary Dismissal of Petition, NPDES Permit No. MA0100765
NPDES Appeal No. 17-08

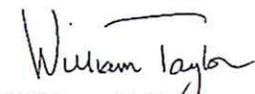
Dear Ms. Durr:

On behalf of the Town of Fairhaven ("Fairhaven"), attached please find for filing a Motion for Voluntary Dismissal of Petition for Review of NPDES Permit No. MA0100765 issued by the Environmental Protection Agency Region 1 (the "EPA").

EPA and Fairhaven have reached a settlement and executed an Administrative Order on Consent on May 2, 2018. Accordingly, pursuant to 40 C.F.R. § 124.19(k), Fairhaven respectfully requests that the Board dismiss Fairhaven's Petition for Review of the above-captioned NPDES Permit.

Thank you for your assistance with this matter.

Sincerely,


William E. Taylor

Enclosure

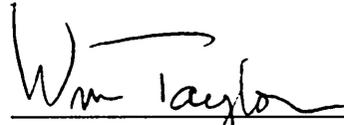
cc: Vincent Furtado, Town of Fairhaven
Mark Rees, Town of Fairhaven
Michelle O'Brien, Esq., Pierce Atwood
Jeffrey Kopf, U.S. EPA
Michael Curley, U.S. EPA

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

In re:)	
)	
Town of Fairhaven)	NPDES Appeal No. 17-08
)	
Permit No. MA0100765)	
)	

MOTION FOR VOLUNTARY DISMISSAL OF PETITION

On October 27, 2017, pursuant to 40 C.F.R. § 124.19, the Town of Fairhaven (“Fairhaven”) filed a Petition for Review by the Environmental Appeals Board of NPDES Permit No. MA0100765 issued by the Environmental Protection Agency Region 1 (the “EPA”). The EPA and Fairhaven have reached a settlement and executed an Administrative Order on Consent on May 2, 2018. Accordingly, pursuant to 40 C.F.R. § 124.19(k), Fairhaven respectfully requests that the Board dismiss Fairhaven’s Petition for Review of the above-captioned NPDES Permit.



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May 4, 2018

Counsel for Town of Fairhaven

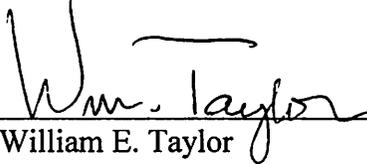
CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2018, a copy of the foregoing document was served by first-class mail on the persons identified below:

Ken Moraff, Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency - Region 1
5 Post Office Square – Mail Code: OEP06-5
Boston, MA 02109-3912

Karen McGuire, Acting Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency - Region 1
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Douglas E. Fine, Assistant Commissioner
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MA Department of Environmental Protection
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