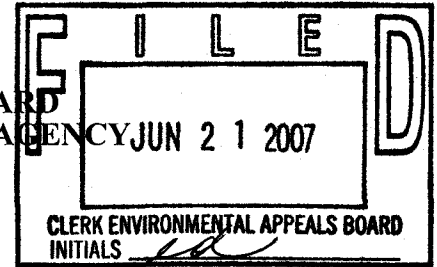


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:

Leominster Water Pollution
Control Facility

NPDES Permit No. MA-0100617

NPDES Appeal No. 06-16

FOURTH STAY ORDER

By motion received on June 8, 2007, U.S. EPA Region 1 (the "Region") and the City of Leominster ("City"), the petitioner in the above-captioned matter, seek an additional 35-day stay of the proceedings until July 13, 2007. *See* Status Report and Motion to Extend Stay of Proceedings ("Motion").

In its petition for review, filed with the Board on November 3, 2006, the City contested the permit's phosphorous limitations. The parties have informed the Board that they have agreed to resolve this matter through an administrative order and a compliance schedule, but need additional time to complete settlement discussions. In particular, the parties state that they "continue to discuss some aspects of the Region's administrative order, which will incorporate the compliance schedule." Motion at 2. The Board held a status conference in this matter on June 21, 2007. During the status conference, the parties expressed confidence that they could complete settlement discussions by July 13, 2007. They also stated, however, that once counsel for the City and the Region had reached a tentative agreement on all issues, the agreement would require the approval of the Leominster City Council. Counsel for Leominster indicated that it could take until the end of July to secure such approval.

Upon review, the Board has determined that good cause exists to extend the stay in this matter and thus extends the stay as follows: On or before July 13, 2007, counsel for the parties shall apprise the Board whether they have arrived at tentative resolution of all outstanding issues. In the event of a tentative resolution, counsel will have until July 31 to secure any necessary approvals and convey to the Board that they have done so. In the event that counsel fail to resolve the outstanding issues by July 13, 2007, they shall so apprise the Board, and the Board will thereafter establish a briefing schedule for the case.

So ordered.

Dated: June 21, 2007

ENVIRONMENTAL APPEALS BOARD

By: Scott C. Fulton
Scott C. Fulton
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Fourth Stay Order in the matter of Leominster Water Pollution Control Facility, NDPES Appeal No. 06-16, were sent to the following persons in the manner indicated:

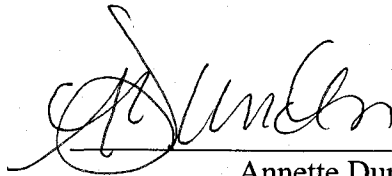
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Dated: JUN 22 2007



Annette Duncan
Secretary