



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

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	)	
In re Massachusetts Port Authority	)	
	)	NPDES Appeal No. 23-03
NPDES Permit No. MA0000787	)	
	)	
	)	

**ORDER GRANTING JOINT MOTION TO EXTEND STAY OF APPEAL**

The Massachusetts Port Authority (“Massport”) petitioned the Environmental Appeals Board to review certain conditions of a National Pollutant Discharge Elimination System which the U.S. Environmental Protection Agency Region 1 issued to Massport. EPA Region 1 and Massport agreed to participate in the Board’s Alternative Dispute Resolution (“ADR”) program. The Board issued an order staying all proceedings to allow for the ADR process to proceed and subsequently extended the stay through March 25, 2025.

On March 17, 2025, the parties filed a Joint Motion to Extend Stay of Appeal. Joint Motion to Extend Stay of Appeal, at 1 (Mar. 17, 2025) (“Joint Motion”). The parties informed the Board that the parties signed a Settlement Agreement which became executed and effective upon signature of a separate settlement agreement between Massport and the Massachusetts Department of Environmental Protection. *Id.* That agreement was signed on March 13, 2025. *Id.* The parties “request that the appeal remain in abeyance pending [] completion of [a] process” that includes publishing for public comment a draft permit modification, evaluating and responding to all significant comments on the draft permit modification, and taking final action on the draft permit modification. *Id.* The parties request a further extension of the stay through September 30, 2025, to complete this process. *Id.* at 1-2. The parties represent that they “will

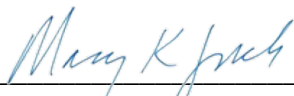
promptly inform the Board if they determine that less time is necessary or that additional time is required.” *Id.* at 2.

Based on the representations in the Joint Motion, the Board **GRANTS** the motion. Accordingly, all proceedings in this matter are stayed until **September 30, 2025**. Upon completion of the permit modification process described in the Joint Motion, Massport shall move to dismiss its petition in accordance with 40 C.F.R. § 124.19(k).

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: March 19, 2025

By:   
Mary Kay Lynch  
Environmental Appeals Judge

## **CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Order Granting Joint Motion to Extend Stay of Appeal* in the matter of Massachusetts Port Authority, NPDES Appeal No. 23-03, were sent to the following persons in the manner indicated:

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Dated: Mar 19, 2025

*Tommie Madison*

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Tommie Madison  
Clerk of the Board