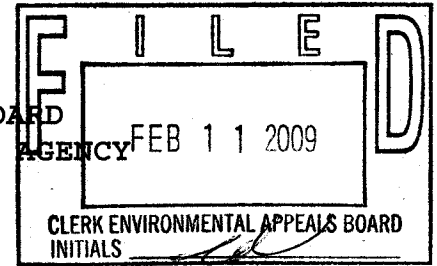


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)	
)	
Upper Blackstone Water)	
Pollution Abatement District,)	NPDES Appeal Nos. 08-11, 08-12,
)	08-13, 08-14, 08-15, 08-16,
Permit No. MA 0102369)	08-17 & 08-18

ORDER GRANTING REGION'S REQUEST TO FILE A SUR-REPLY

On December 31, 2008, the permit issuer in the above captioned matter, U.S. EPA Region 1 ("Region 1"), requested the opportunity to submit a "brief sur-reply," to Upper Blackstone Water Pollution District's ("District") reply brief, which is due on February 16, 2009. On February 11, 2009, the Environmental Appeal Board ("Board") issued an order allowing another petitioner in the above captioned matter, the Conservation Law Foundation ("CLF"), to submit a reply brief.

Upon consideration, the Board hereby grants the Region's request to file a short sur-reply to the District's reply brief and, if the Region so desires, to CLF's reply brief. The brief

must not exceed 25 pages in length.¹ The Region must file its sur-reply no later than Monday, March 9, 2009.²

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

February 11, 2009

By:

Anna L. Wolgast

Anna L. Wolgast
Environmental Appeals Judge

¹ The spacing, font size, and margins of the reply brief must be the same as the ones used in the Region's Opposition to Upper Blackstone Water Pollution Abatement District's Motion For Leave to File a Reply Brief, filed December 31, 2008.

² Documents are "filed" with the Board on the date they are received.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Region's Request to File a Sur-Reply in the matter of Upper Blackstone Water Pollution Abatement District, NPDES Appeal Nos. 08-11, 08-12, 08-13, 08-14, 08-15, 08-16, 08-17 & 08-18, were sent to the following persons in the manner indicated:

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Dated: FEB 11 2009


Annette Duncan
Secretary