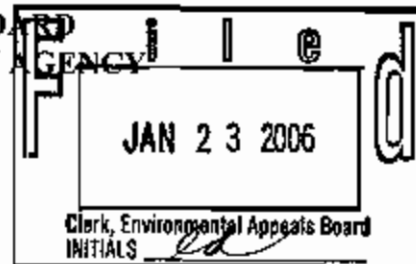


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Boston & Maine Corporation) NPDES Appeal No. 05-17
East Deerfield Massachusetts)
)
NPDES Permit No. MA0000272)
)

**ORDER GRANTING MOTION FOR
STAY OF PROCEEDINGS**

By motion filed on January 19, 2006, U.S. EPA Region I ("Region") seeks a stay of 90 days in the above-captioned proceeding. Currently, the proceedings are stayed until February 3, 2006, by which date the Region must file its response to the petition for review jointly filed by Connecticut River Watershed Council, Inc., and Jamison E. Colburn ("Petitioners").

In its motion, the Region reports that it and the Petitioners have made substantial progress in their settlement negotiations. The Region explains that it is requesting the 90-day stay in order to allow additional time to "(1) consult with the Permittee, (2) conclude final discussions with Petitioners, and (3) issue a permit modification that would resolve the issues raised by the Petition." The Region also notes that it has discussed its motion with the Petitioners' counsel and that the Petitioners do not object to the motion.

For good cause shown, the Region's motion is hereby granted. The Region's February 3, 2006 filing deadline is rescinded, and the proceedings are stayed for 90 days, until May 3, 2006. The parties are directed to submit a status report by March 17, 2006, to advise the

Board whether it is appropriate to continue the stay, dismiss the Petition, or to schedule the Region's response to the petition.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: January 23, 2006

By: Anna L. Wolgast
Anna L. Wolgast
Environmental Appeals Judge

