	ENVIRONMENTAL APPEALS BO NVIRONMENTAL PROTECTION WASHINGTON, D.C.	NCY ^I	2 3	@ 2006	70
In re:		llerk, Environ Nitials		Appeals Bo	
Boston & Maine Corporation East Deerfield Massachusetts) NPDES Appeal No. 05-17				
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 The Region's February 3, 2006 filing deadline is rescinded, and the proceedings are stayed for 90 days, until May 3, 2006.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

Anna L. Wolgast

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Stay of Proceedings in the matter of Boston & Maine Corporation, NDPES Appeal No. 05-17, were sent to the following persons in the manner indicated:

By First Class Mail:

Professor Jamison Colburn

WNEC-Law School 1215 Wilbraham Rd.

Springfield, MA 01119-2654

Andrea Donlon River Steward

Connecticut River Watershed Council, Inc.

15 Bank Row

Greenfield, MA 01301

John Collins

Environmental Manager Boston & Maine Corporation Iron Horse Park, High Street North Billerica, MA 01862

By Pouch Mail:

Ronald A. Fein, Assistant Regional Counsel

U.S. EPA Region 1

One Congress Street, Suite 1100 (RAA)

Boston, MA 02114

JAN 23 2006

Date: ___

Annette Duncan

Secretary