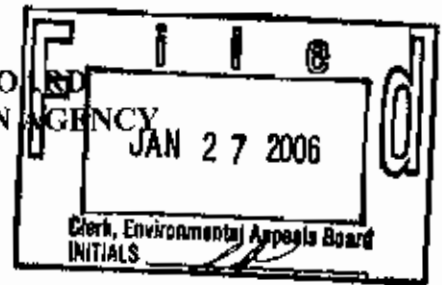


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Boston & Maine Corporation)
East Deerfield Massachusetts)
)
NPDES Permit No. MA0000272)
_____)

NPDES Appeal No. 05-17

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE RESPONSE

By motion filed January 25, 2006, permittee Boston & Maine Corporation ("B&M"), which has been granted leave to participate in the above-captioned proceeding, requests a 90-day extension of time, until May 4, 2006, to file a response to the petition for review jointly filed by Connecticut River Watershed Council, Inc., and Jamison E. Colburn ("Petitioners"). *See* Motion by Permittee for Extension of Time to File Response (Jan. 25, 2006). B&M's response is currently due on or before February 3, 2006.

In support of its motion, B&M notes that EPA Region I ("Region") has filed a motion seeking a 90-day stay of proceedings in order to accommodate its ongoing settlement negotiations with the Petitioners, and that B&M should receive a "commensurate" period of time to file its response to the petition for review. *See* Motion for Stay of Proceedings (Jan. 19, 2006).

Given that the Board has now granted the Region's motion for a 90-day stay of

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Extension of Time to File Response 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.
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Geoffrey S. Nickerson, Esq.
Boston & Maine Corporation
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North Billerica, MA 01862

By Pouch Mail:

Ronald A. Fein, Assistant Regional Counsel
U.S. EPA Region I
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114

Date: JAN 27 2006



Annette Duncan
Secretary

proceedings¹ and for good cause shown, B&M's motion is hereby granted. B&M's response to the petition for review must be received by the Board on or before May 4, 2006.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: January 27, 2006

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

¹See Order Granting Motion for Stay of Proceedings (Jan. 23, 2006). The Board ordered a stay of proceedings until May 3, 2006.