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February 6, 2017

Via Electronic Filing

Ms. Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East Building, Room 334
Washington, D.C. 20004

Re: In the Matter of Bridgewater Wastewater Treatment Plan; NPDES Appeal No. 16-01; NPDES Permit No. MA010064; Docket No, MA0100641.

Dear Ms. Durr:

Enclosed, please find the Town of Bridgewater's and U.S. Environmental Protection Agency Region 1's "**STATUS REPORT AND JOINT MOTION FOR FURTHER STAY OF THE PROCEEDINGS**" and Certificate of Service, in the above referenced matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Bernice I. Corman', is written over a light blue horizontal line.

Bernice I. Corman

Enclosures

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

In the Matter of:

Bridgewater Wastewater Treatment Plant

NPDES Permit No. MA0100641

NPDES Appeal No. 16-01

**STATUS REPORT AND JOINT MOTION FOR FURTHER STAY OF THE
PROCEEDINGS**

In accordance with the December 16, 2016 Order on Motion for Stay and for Accelerated Decision and Request for Oral Argument (hereinafter, "Order") issued by the U.S. Environmental Protection Agency Environmental Appeals Board (the "Board"), the Town of Bridgewater (the "Town") and U.S. Environmental Protection Agency Region 1 ("EPA") (hereinafter collectively referred to as the "Parties") were required to jointly or independently submit to the Board by February 6, 2017, a report on the status of the Parties' settlement discussions, and whether a further deferral of the Board's consideration of EPA's November 15, 2016 Motion to Dismiss would materially assist any ongoing settlement discussions.

The Parties jointly report that they are actively engaging in settlement discussions, which they expect to conclude within six weeks of the date the parties were directed to report to the Board, or by March 20, 2017. The Parties therefore jointly and respectfully request that the Board continue to defer consideration of EPA's Motion to Dismiss until March 20, 2017.

As discussed by the Parties during settlement negotiations that took place on January 30, 2017, after an initial meeting in December and subsequent exchange of written information, the Parties committed to the following interim actions over the course of the next six weeks:

1. the Town will provide EPA with information pertaining to development of an Administrative Consent Order that EPA requested at the Parties' most recent settlement conference within three weeks, or by no later than February 20, 2017;
2. EPA will review the information within two weeks of receipt, or by no later than March 6, 2017; and
3. the Parties will confer and report to the Board by March 20, 2017 on whether they have reached agreement, whether cause exists for a limited additional stay of the proceedings to allow settlement discussions to conclude, or whether the stay should be lifted.

The Parties believe that a negotiated resolution of the Town's pending appeal is likely, based upon the Parties' discussion to date. Should such discussions lead to resolution and result in an Administrative Consent Order, the Town will voluntarily seek to dismiss with prejudice its Petition for Review by the Board of the above-captioned permit, thereby conserving resources of the Board and the Parties.

Respectfully submitted,



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Fax: (617) 918-0044
Email: eckhardt.cayleigh@epa.gov

Date: February 6, 2017

CERTIFICATE OF SERVICE

I hereby certify that the copies of the foregoing “**STATUS REPORT AND JOINT MOTION FOR FURTHER STAY OF THE PROCEEDINGS**” in the matter of Bridgewater Wastewater Treatment Plan, NPDES Permit No. MA0100641, Appeal No. 16-01, were served by electronic delivery, with the express consent to serve via electronic delivery, this 6th day of February, 2017.

Via Electronic Delivery

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