



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1
1 Congress Street, Suite 1100
BOSTON, MA 02114-2023

BY FAX AND FEDERAL EXPRESS

Erika Durr
Clerk of the Board
Environmental Appeals Board (MC 1103B)
Colorado Building
1341 G Street, N.W., Suite 600
Washington, DC 20005

September 8, 2009

Re: Upper Blackstone Water Pollution Abatement District
NPDES Appeal Nos. 08-11 through to 08-18 and 09-06

Dear Ms. Durr:

In accordance with the Board's Order Scheduling Oral Argument in the above-referenced matters, please be advised that I and my colleague Amanda Helwig will appear personally to present argument on behalf of the Region before the Board on September 16, 2009. I intend to address all issues other than the aluminum modification, which Ms. Helwig will address.

In addition, the Region has requested to make arrangements for video-conferencing to enable other Regional colleagues to observe the arguments. One of the petitioners, the Massachusetts Department of Environmental Protection, will also use the Region's video-conference capabilities to participate at the hearing.

Finally, in accordance with the final paragraph of the Board's Order, which invited the parties to consider settlement of this matter, the Region has had discussions with counsel for the Upper Blackstone Water Pollution District and the Conservation Law Foundation, and has initiated conversations with the City of Worcester, Millbury, Holden, and the Cherry Valley Sewer District. As of this time, the parties have not been able to reach a settlement.

RECEIVED
SEP 10 2009
U.S. E.P.A.
ENVIRONMENTAL APPEALS BOARD

Please contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Karen McGuire', with a long horizontal flourish extending to the right.

Karen McGuire, Esq.
Mail Code CDW
617-918-1711

Cc: Nathan A. Stokes, Esq.
Ned Bartlett, Esq.
David K. Mears, Esq.
Christopher M. Kilian, Esq.
Karen L. Crocker, Esq.
Susan B. Forcier, Esq.
David M. Moore, Esq.
Mr. James Shuris
Mr. J. Bradford Lange
Mr. Donald G. Manseau
Mr. Roland C. Gauvin