

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

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In re: Massachusetts Port Authority )  
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NPDES Permit No. MA0000787 )  
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NPDES Appeal No. 23-03

**JOINT MOTION TO EXTEND STAY OF APPEAL**

Massachusetts Port Authority (“Massport”) and U.S. Environmental Protection Agency Region 1 (“Region 1”) jointly submit this motion for an extension of the stay of Massport’s NPDES Permit Appeal No. 23-03 (“Appeal”).

Massport and Region 1 (“the Parties”) signed a Settlement Agreement documenting the agreement between the Parties on January 17, 2025. Pursuant to Paragraph 15 of this Agreement, the Agreement becomes executed and effective on the date that Massport and Massachusetts Department of Environmental Protection (“MassDEP”) sign a separate settlement agreement in the analogous state permit matter. Massport and MassDEP signed such agreement on March 13, 2025.

Now that the Parties’ Settlement Agreement is executed, the Parties jointly request that the appeal remain in abeyance pending the completion of the process described in Paragraphs 2-14 of the Settlement Agreement. This process first includes the publishing of the Draft Permit Modification for public comment. Within 30 days after the execution of the Parties’ Settlement Agreement, Region 1 will make the Draft Permit Modification available for a public comment period of at least 30 days. Region 1 will evaluate and respond to all significant comments. Following this process, and no later than six months after proposing the Draft Permit Modification, Region 1 will take final action on the Draft Permit Modification. Therefore, the

Parties request an extension of the stay through September 30, 2025, so that the permit modification public process can fully play out. Because of the permit modification's targeted and limited nature, the parties are contemplating a public process that is expected to take less time than many EPA NPDES proposed permit actions. The Parties will promptly inform the Board if they determine that less time is necessary or that additional time is required.

Respectfully submitted,

**For U.S. Environmental Protection Agency  
Region 1**

/s/ Erin Flannery-Keith

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## CERTIFICATE OF SERVICE

I, Erin Flannery-Keith, hereby certify that on this 17th day of March 2025, I served a copy of the foregoing Joint Motion to Extend Stay of Appeal on the parties identified below:

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Dated on the 17th day of March, 2025.

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