



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
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ENV. APPEALS BOARD

FACSIMILE TRANSMISSION

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Date: March 17, 2008

To: Eurika Durr, Clerk of the Board, EPA Environmental Appeals Board
Fax: 202-233-0121
Ph: 202-233-0122

To: Jeffrey T. Blake, Esq., Kopelman and Paige
Fax: 617-654-1735
Ph: 617-556-0007

From: Ann Williams, Office of Regional Counsel
Fax: 617-918-0097
Ph: 617-918-1097

Number of pages including cover: 5

Message: Enclosed please find a Motion to Extend the Stay of Proceedings in the matter of Town of Northbridge Wastewater Treatment Plant, Appeal No. NPDES 06-11, with accompanying Certificate of Service and Transmittal Letter.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

March 17, 2008

Eurika Durr, Clerk of the Board,
Environmental Appeals Board (MC 1103B)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

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2008 MAR 18 AM 9:38
ENVIR. APPEALS BOARD

Re: Town of Northbridge Wastewater Treatment Plant
Appeal No. NPDES 06-11

Dear Ms. Durr:

Enclosed please find the original and five copies of a Motion to Extend the Stay of Proceedings in the above-captioned matter, as well as a certificate of service. The Motion was sent to you via facsimile earlier today.

Thank you for your attention to this matter.

Sincerely,

Ann H. Williams

Ann H. Williams
Senior Assistant Regional Counsel

Enclosures

cc: Jeffrey T. Blake, Esq., Kopelman and Paige

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

In re:

**Town of Northbridge Wastewater
Treatment Plant**

NPDES Permit MA0100722

Appeal No. NPDES 06-11

ENVIR. APPEALS BOARD

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MOTION TO EXTEND THE STAY OF PROCEEDINGS

The United States Environmental Protection Agency, Region 1 ("Region"), with the consent of counsel for the Town of Northbridge ("Town"), respectfully submits to the Environmental Appeals Board ("Board") this motion to extend, by seven (7) days, the stay of proceedings related to the petition for review filed by the Town in the above-referenced appeal. The basis for this motion is discussed below.

In the Board's Fourth Stay Order, dated January 11, 2008, the Board granted the Region's January 11, 2008 motion for an additional stay of the proceedings until March 18, 2008 to enable the parties to complete negotiations regarding the contested permit limits, and ordered the parties to file a status report by February 15, 2008.

The Region reported in the February 15, 2008 status report that the parties had completed negotiations on a compliance schedule to meet the contested phosphorus limits, and that the Region was in the process of preparing an administrative order that would contain the agreed upon schedule and expected to issue the order no later than March 18, 2008. The Region also reported that it had issued a draft permit modification

related to the contested winter bacteria limits and that the Region expected to make a final permit modification decision no later than March 18, 2008.

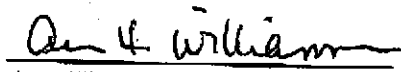
On March 14, 2007, the Region issued a final permit modification of the winter bacteria limits. The modification took effect on that date since there were no public comments on the draft modification.

With respect to the phosphorus limits, counsel for the Town has informed the Region that the Town accepts the terms of EPA's draft administrative order and that the Town intends to file with the Board, within seven (7) days, a notice withdrawing its petition for review. EPA intends to issue the order as soon as the Board dismisses the petition as moot.

The Region, with the assent of counsel for the Town, requests that the proceedings be stayed an additional seven (7) days, to March 25, 2008, to provide the Town time to withdraw its petition.

Respectfully submitted,

United States EPA, Region I


Ann H. Williams
Senior Assistant Regional Counsel
US EPA Region 1 (RAA)
One Congress St. - Suite 1100
Boston, MA 02114-2023
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Fax: (617) 918-0097
williams.ann@epa.gov

Dated: March 17, 2008


In the Matter of: Town of Northbridge Wastewater Treatment Plant
Appeal No. NPDES 06-11

CERTIFICATE OF SERVICE

I, Ann H. Williams, hereby certify that I served the foregoing Motion to Extend the Stay of Proceedings in the above-captioned matter by facsimile and by mailing one original and five copies by First Class Mail on this 17th day of March, 2008 to the Environmental Appeals Board (MC 1103B), Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-0001; and that a true copy of the foregoing was sent by facsimile and by First Class Mail, postage prepaid, to the following person:

Jeffrey T. Blake, Esq.
Kopelman and Paige, P.C.
101 Arch Street
Boston, MA 02110

Dated: March 17, 2008


Ann H. Williams
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