



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1
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BOSTON, MA 02114-2023

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ENVIR. APPEALS BOARD

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To: Eurika Durr, Clerk of the Board

Fax: (202) 233-0121

From: Joshua Caditz, Assistant Regional Counsel
US EPA Region 1

Date: January 10, 2007

Number of pages including cover: 5

Return Fax: 617-918-0087



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I**

**ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023**

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ENVIR. APPEALS BOARD

BY FACSIMILE

January 10, 2007

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

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

Dear Ms. Durr:

Enclosed please find a facsimile of the following Status Report in the above-captioned matter, as well as a certificate of service. I am also mailing you the original Status Report and submitting an electronic copy.

Please contact me at 617-918-1787, or by fax at 617-918-0087 or by electronic mail at Caditz.Joshua@epamail.epa.gov, if you need to discuss this filing.

Sincerely,

Joshua Caditz
Assistant Regional Counsel

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

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BEFORE THE ENVIRONMENTAL APPEALS BOARD

2007 JAN 10 PM 12:47

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ENVIR. APPEALS BOARD

In re:

Town of Northbridge Wastewater
Treatment Plant

NPDES Permit MA-0100722

Appeal No. NPDES 06-11

STATUS REPORT ON SETTLEMENT DISCUSSIONS

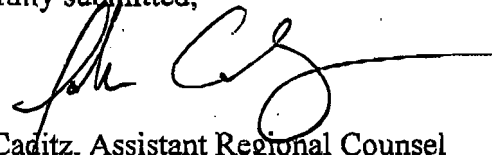
The United States Environmental Protection Agency, New England Region ("Region") respectfully submits this status report to the Environmental Appeals Board ("Board") with respect to the above-captioned matter.

On September 13, 2006, the Region reissued a National Pollutant Discharge Elimination System Permit, No. MA-0100722 ("Permit"), to the Town of Northbridge ("Town"). On October 16, 2006, the Town filed, pursuant to 40 C.F.R. § 124.19(a), a Petition for Review ("Petition") of the Permit. On October 18, 2005, the Board directed the Region to submit a response by December 4, 2006. On November 17, 2006, the Region issued a Notice of Uncontested and Severable Conditions pursuant to 40 C.F.R. § 124.16(a)(2)(ii), making fully effective those conditions of the Permit not challenged in the Petition. On November 21, 2006, the Town and the Region jointly moved to stay the proceedings until March 6, 2007 in order to allow the parties to try to resolve the issues on appeal through settlement negotiations. On November 29, 2006, the Board issued an

order staying the proceedings in this matter until March 6, 2007, and directing the parties to submit a status report to the Board by January 10, 2007.

The Region and the Town have met to discuss settlement of the issues on appeal. By the end of January, the Town will submit a report that evaluates potential low cost alternatives to meet the phosphorus permit limits. Following submission of the report, the parties intend to resume negotiations to discuss the possible scope of an Administrative Order with a compliance schedule that could resolve the appeal.

Respectfully submitted,



Joshua Caditz, Assistant Regional Counsel
U.S. Environmental Protection Agency Region 1
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114
617-918-1787
Fax: 617-918-0087

Date: January 9, 2007

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

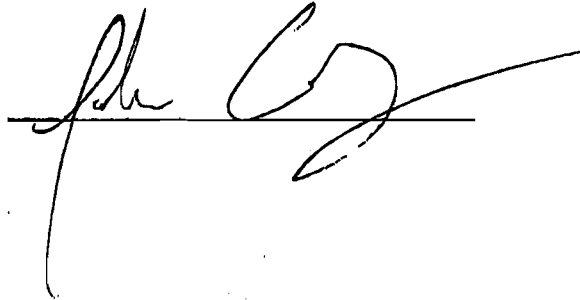
CERTIFICATE OF SERVICE

I, Joshua Caditz, hereby certify that one original copy of the foregoing Status Report was mailed by First Class Mail on this 10th day of January, 2007 to the Environmental Appeals Board 1103B, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460-0001, and that a copy of the foregoing was sent by First Class Mail, postage prepaid, to the following person:

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

Dated:

01/10/2007

A handwritten signature in black ink, appearing to read "Joshua Caditz", written over a horizontal line.