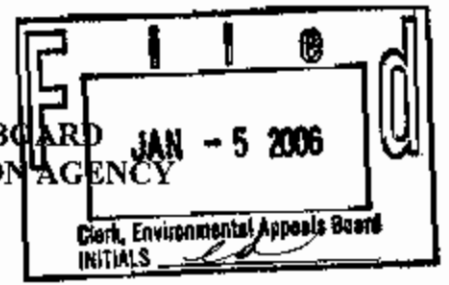


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)	
In re:)	
_____)	
Brockton Advanced Water Reclamation Facility)	NPDES Appeal No. 05-04
_____)	
NPDES Permit No. MA-0101010)	
_____)	

**ORDER GRANTING FOURTH MOTION
FOR STAY OF PROCEEDINGS**

On January 4, 2006, Region I of the U.S. Environmental Protection Agency filed a status report and motion to extend the stay of the proceedings in the above-captioned matter, which currently extends through January 9, 2006. In its motion, Region I reports that the parties remain actively engaged in settlement negotiations, and the Region continues to believe there is a substantial likelihood that the issues raised in the petition can be resolved without resort to litigation. Counsel for Region I does not report whether petitioners Timothy A. Watts and Douglas H. Watts assent or object to the status report and motion for extension of the stay.

Region I states that the City of Brockton has agreed in principle to conduct a water quality monitoring program to assess the impacts of the wastewater facility's discharges on receiving waters. The parties have reviewed and exchanged drafts of language to memorialize Brockton's commitment to undertake the water quality assessment and to adopt an ultraviolet system to disinfect its wastewater. Negotiations are continuing over these matters and have been slowed in part by the fact that the water quality assessment is being implemented as a supplemental environmental project in a consent decree that Brockton is entering to resolve an ongoing enforcement proceeding. Region I anticipates that the consent decree will be lodged in

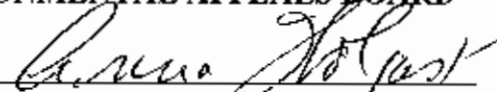
federal district court within the next sixty days. It therefore asks the Environmental Appeals Board to continue the stay of proceedings before the Board in the above-captioned matter for an additional ninety days.

For good cause shown, the Region's motion is hereby **GRANTED**. The parties are directed to provide the Board with a report, on or before **Monday, April 10, 2006**, describing the status of settlement negotiations in this case and suggesting a future course of action.

So ordered.

Dated: January 5, 2006

ENVIRONMENTAL APPEALS BOARD

By: 
Edward E. Reich
for
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Fourth Motion for Stay of Proceedings** in the matter of Brockton Advanced Water Reclamation Facility, NPDES Appeal No. 05-04, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

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Dated: JAN - 5 2006


Annette Duncan
Secretary