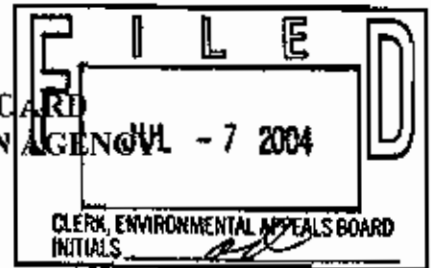


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
City of Newburyport, Wastewater) NPDES Appeal No. 04-05
Treatment Facility)
)

ORDER

By joint motion filed on July 6, 2004, U.S. EPA Region I (the "Region") and the City of Newburyport, Massachusetts ("Newburyport") seek a stay of proceedings in the above-captioned matter and an extension of time for the Region to file a response to Newburyport's Petition for Review. Joint Motion for Stay of Proceedings and an Extension of the Response Date ("Joint Motion"). According to the Joint Motion:

The parties believe that resolution of some or all of the issues in this appeal is possible and have agreed to enter into settlement discussions. A settlement of some or all of the issues in this appeal will simplify or resolve the issues before the Board and thus conserve the Board's resources.

Joint Motion at 1.

For good cause shown, the Joint Motion is granted. The Region's response must now be filed no later than October 29, 2004.

So ordered.

Dated: JUL - 7 2004

ENVIRONMENTAL APPEALS BOARD

By: 

Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order in the matter of City of Newburyport, Wastewater Treatment Facility, NDPEs Appeal No. 04-05, were sent to the following persons in the manner indicated:

First Class Mail
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Dated: JUL - 7 2004


Annette Duncan
Secretary