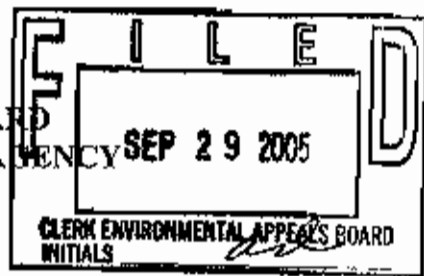


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Beacon Park Yard)
(CSX Transportation, Inc.)
)
Permit No. MA0025704)
_____)

NPDES Appeal No. 05-13

ORDER GRANTING MOTION FOR STAY OF PROCEEDINGS

By joint motion filed September 22, 2005, U.S. EPA Region I ("Region") and petitioner CSX Transportation, Inc. ("CSX") request a stay of proceedings in the above-captioned matter. The proceeding concerns CSX's August 10, 2005 petition for review of an NPDES permit that the Region reissued to CSX for its Beacon Park Yard facility. The Board directed the Region to submit a response to the petition by October 3, 2005.

In support of their motion, the parties represent that they have entered into settlement negotiations and "believe there is a substantial likelihood of resolution of some or all of the issues in this appeal." The parties request a stay of the proceedings before the Board until December 8, 2005, stating that "as soon as possible before that date, the parties will submit a status report "to advise the Board whether it is appropriate to continue the stay, dismiss the Petition, or establish a schedule for EPA's response to the Petition."

The parties' motion for a stay of proceedings until December 8, 2005 is hereby granted.

Unless otherwise notified by the Board, the Region's response to CSX's petition for review must be received by December 8, 2005.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 9/29/05

By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order in the matter of Beacon Park Yard (CSX Transportation, Inc.), NPDES Appeal No. 05-13, were sent to the following persons in the manner indicated:

By First Class Mail, Return Receipt Requested and
Facsimile:

Thomas Anderson, Counsel
CSX Transportation, Inc.
500 Water Street, J-150
Jacksonville, FL 32202
Fax No.: (904) 357-7718

By Pouch Mail and Facsimile:

Jeanhee Hong, Counsel
Office of Regional Counsel
U.S. EPA Region I (RAA)
One Congress, St. -Suite 1100
Boston, MA 02114-2023
Fax No.: (617) 918-0787

Dated: SEP 29 2005


Annette Duncan
Secretary