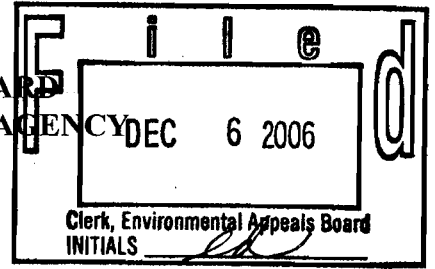


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
)
Town of Marion, Massachusetts) NPDES Appeal No. 06-15
)
NPDES Permit No. MA0100030)
_____)

**ORDER GRANTING MOTION
FOR STAY OF PROCEEDINGS**

On December 4, 2006, Region I of the U.S. Environmental Protection Agency filed a motion to stay the proceedings in the above-captioned matter. At present, Region I's response to the petition for review is due to be filed with the Environmental Appeals Board on Tuesday, December 19, 2006. In its motion, the Region reports that it and the Town of Marion, the petitioner and permittee in this case, believe that the issues raised in the Town's petition may be resolved through settlement discussions, and thus they have agreed to pursue such discussions. The Region therefore requests that its current December 19th filing deadline be rescinded and these proceedings be stayed for sixty days, by which date the Region volunteers to submit a status report on the progress of the settlement discussions, including recommendations on whether it would be appropriate to continue the stay, dismiss the petition, or establish a new briefing schedule for the Region's response to the petition. Region I notes that the Town of Marion assents to this motion.

For good cause shown, the motion is hereby **GRANTED**. Region I's December 19, 2006 filing deadline is rescinded, and the Region is directed to provide the Board with a report, on or

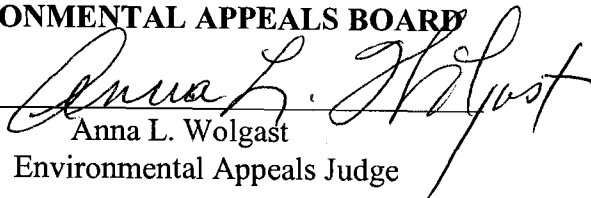
before **Monday, February 19, 2007**, describing the status of settlement negotiations in this case and suggesting a future course of action.

So ordered.

Dated: December 6, 2006

ENVIRONMENTAL APPEALS BOARD

By: _____


Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Stay of Proceedings in the matter of **Town of Marion**, NPDES Appeal No. 06-15, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

Robert C. Zora
Superintendent of Public Works
Town of Marion Department of Public Works
50 Benson Brook Road
Marion, Massachusetts 02738

Bill McConnell, Esq.
Camp Dresser McKee
56 Exchange Terrace
Fourth Floor
Providence, Rhode Island 02903

By Facsimile and EPA Pouch Mail:

Samir Bukhari, Attorney Advisor
U.S. Environmental Protection Agency, Region I
One Congress Street, Suite 1100 (RAA)
Boston, Massachusetts 02114-2023
telephone: (617) 918-1095
facsimile: (617) 918-0095

Dated: DEC - 6 2006



Annette Duncan
Secretary