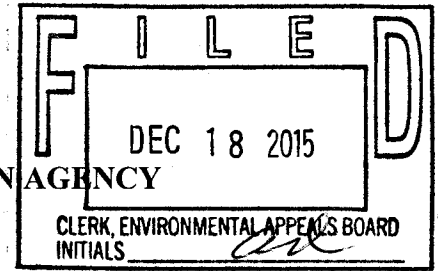


ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_)  
In re: )  
Sterling Suffolk Racecourse, LLC ) NPDES Appeal No. 15-12  
NPDES Permit No. MA0040282 )  
\_\_\_\_\_)

**ORDER GRANTING JOINT MOTION TO CONTINUE  
THE CURRENT STAY OF PROCEEDINGS**

On November 4, 2015, Sterling Suffolk Racecourse, LLC, ("Suffolk") filed a Petition for Review ("Petition") with the Environmental Appeals Board ("Board") requesting review of certain conditions of the National Pollutant Discharge Elimination System Permit issued by EPA Region 1 ("Region"). Shortly thereafter, the parties filed a joint motion with the Board requesting a sixty (60) day stay in the proceedings in order to allow time for settlement discussions. The parties also requested that the Board hold in abeyance the deadline for the Region to file its response to the Petition and certified index to the Administrative Record. The Board granted the parties' request and stayed the matter until January 15, 2016. The Board also ordered the parties to file a joint status report no later than December 16, 2015.

On December 15, 2015, the parties filed a joint status report and requested the Board to further stay the proceedings for an additional sixty (60) days. The parties explain that their representatives met in mid-November and that they have engaged in an exchange of information and settlement positions. Suffolk has provided the Region with an initial written settlement proposal. The Region is reviewing the proposal and is awaiting supporting data from Suffolk.

The parties represent that they are materially progressing toward a negotiated resolution of the permit appeal but that they need additional time for further discussion and information exchange, and that holiday schedules and other commitments are likely to further delay resolution of the issues.

For good cause shown, the Board grants the parties' request to stay this matter another sixty (60) days. *See* 40 C.F.R. §124.19(n). This matter is now STAYED until **March 15, 2016**.

The deadline for the Region to file its response to the Petition and certified index to the administrative record is now March 15, 2016. The parties shall file a joint report no later than February 16, 2016, explaining the status of this matter, including a discussion of recommended next steps for the efficient resolution of the pending Petition that either informs the Board of the expected timeframe for concluding settlement discussions and dismissal of this appeal or requests the Board to lift the stay.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: 12/18/15

By: Mary Beth Ward  
Mary Beth Ward  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Order Granting Joint Motion to Continue the Current Stay of Proceedings* in the matter of Sterling Suffolk Racecourse, LLC, NPDES Appeal No. 15-12, were sent to the following persons in the manner indicated:

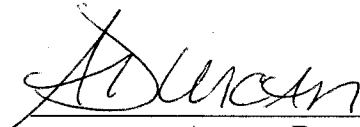
**By First Class Mail:**

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5 Post Office Square - Suite 100  
Mail Code: ORA 18-1  
Boston, MA 02109-3912

Dated: DEC 18 2015

  
\_\_\_\_\_  
Annette Duncan  
Secretary