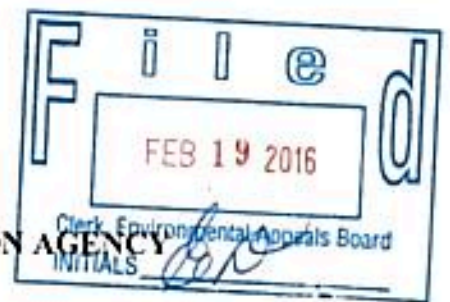


ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



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

**SECOND 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 I ("Region"). Shortly thereafter, the parties informed the Board that they are involved in settlement discussions and jointly moved for a stay of the proceedings. By orders dated November 16, 2015, and December 18, 2015, the Board has stayed this matter until March 15, 2016.

On February 12, 2016, the parties submitted their Second Joint Status Report and Motion to Further Continue the Stay of Proceedings. The parties represent that they have engaged in several exchanges of information and settlement positions and that the Region is currently considering a proposal by Suffolk and intends to transmit its response to Suffolk no later than February 25, 2016. The parties further represent that they are making substantial progress towards a negotiated resolution of the appeal but request that the Board extend the stay for an additional forty-five (45) days in order to allow time for further discussions and possible exchanges of information before a final settlement agreement can be reached.

For good cause shown, the Board grants the parties' request to stay this matter another forty-five (45) days. See 40 C.F.R. §124.19(n). This matter is now STAYED until April 29, 2016. The deadline for the Region to file its response to the Petition and certified index to the administrative record is now April 29, 2016. The parties shall file a joint status report no later than March 29, 2016, that explains the status of settlement negotiations and 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 and establish a new deadline for the Region to file its Response and certified index.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 2/17/2016

By: Mary Beth Ward
Mary Beth Ward
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Second 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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Dated: 2/19/2016


Annette Duncan
Secretary 