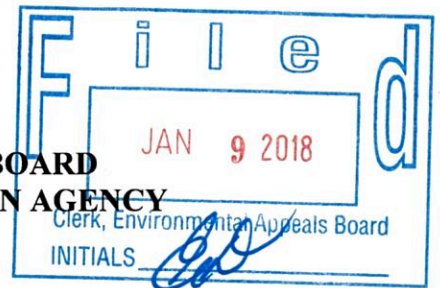


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
Town of Fairhaven) NPDES Appeal No. 17-08
NPDES Permit No. MA0100765)
_____)

**ORDER GRANTING SECOND JOINT MOTION
FOR STAY OF PROCEEDINGS**

On January 8, 2018, Region 1 of the U.S. Environmental Protection Agency and the Town of Fairhaven, Massachusetts, filed a joint motion for a second sixty-day stay of proceedings in the above-captioned case. The parties report that they have made significant progress in agreeing to the terms of a draft Administrative Order on Consent that will settle this matter. They note, however, that “some important provisions” of the draft order remain to be resolved, Joint Motion at 3, and thus they seek an additional sixty days in which to pursue negotiations that may allow them to settle the matter and avoid litigation before the Environmental Appeals Board (“Board”).


In the interest of conserving administrative resources and for good cause shown, the Board hereby **GRANTS** the motion and stays proceedings in this matter until **Friday, March 16, 2018**. The parties shall file status reports with the Board on **Thursday, February 8, 2018**, and **Thursday, March 8, 2018**. In each status report, the parties shall inform the Board of the progress the parties have made as well as their plan and expected timeframe for concluding settlement discussions and dismissing the appeal; or alternatively, the parties will request that the Board lift the stay and establish a briefing schedule or take some other

appropriate action (providing a basis for such action). The Board will review each status report and assess whether the stay continues to be appropriate.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: JAN - 9 2018

By: 

Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Second Joint Motion for Stay of Proceedings** in the matter of *Town of Fairhaven*, NPDES Appeal No. 17-08, were sent to the following persons in the manner indicated:

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Dated:

January 9, 2018



Eurika Durr
Clerk of the Board