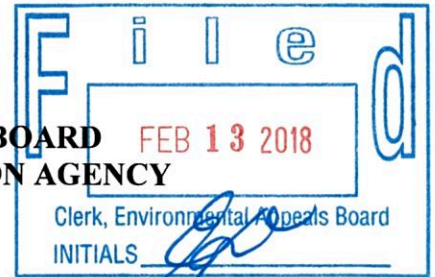


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



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

ORDER CONTINUING STAY OF PROCEEDINGS

On February 8, 2018 (correction filed February 9, 2018), Region 1 of the U.S. Environmental Protection Agency and the Town of Fairhaven, Massachusetts, filed a status report in the above-captioned case, as directed by the Environmental Appeals Board’s January 9, 2018 *Order Granting Second Joint Motion for Stay of Proceedings*. The parties report that they have continued to make progress on a potential settlement. They explain that they scheduled a meeting for February 12, 2018, with the Massachusetts Department of Environmental Protection. At that meeting, they expected to discuss written materials the Town of Fairhaven has been preparing regarding the terms of a draft administrative consent order and a schedule for coming into compliance with permit terms. The parties did not comment on their plan or expected timeframe for concluding settlement discussions or lifting the stay.


Based on the parties’ representations, the Board concludes that a stay of proceedings in this matter until **Friday, March 16, 2018**, continues to be appropriate. The Board reminds the parties that, in their next status report, due **Thursday, March 8, 2018**, they “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).” Order at 1-2.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: FEB 13 2018

By: 

Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Continuing 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: FEB 13 2018



Annette Duncan
Administrative Specialist