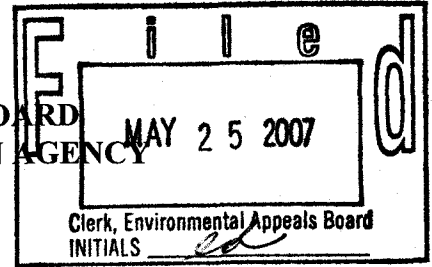


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



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

**ORDER GRANTING MOTION
FOR THIRD STAY OF PROCEEDINGS**

On May 21, 2007, Region I of the U.S. Environmental Protection Agency filed a status report and motion to stay the proceedings in the above-captioned matter. In its motion, the Region reports that it and the Town of Marion, the petitioner and permittee in this case, have successfully concluded a settlement of the disputed permit issues. The settlement will be implemented via a modification of the permit, which the Region published in draft form in early March 2007 and took public comments thereon through April 27, 2007. The Region considered the comments received, prepared a response, and planned to issue the permit in final form on May 22, 2007.

The Region, with the assent of the Town of Marion, seeks an extension of the current stay of proceedings until July 25, 2007, to allow adequate time for appeals of the permit modification to be filed (if any) and to allow for coordination between the various parties. If no appeals of the modification are filed, the Town of Marion expects to file a motion to withdraw its pending appeal as moot. The Region reports that it does not believe an appeal likely, given the nature and relatively narrow scope of the issues addressed by the permit modification.

For good cause shown, the motion for a continued stay of proceedings is hereby

GRANTED. Region I's June 1, 2007 filing deadline is rescinded, and the Region is directed to file a response to the petition for review in this case on or before **July 25, 2007.**

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: May 25, 2007

By: Anna L. Wolgast
Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Third 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:

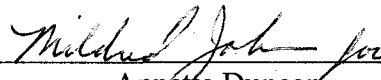
Robert C. Zora
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Town of Marion Department of Public Works
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Camp Dresser McKee
56 Exchange Terrace
Fourth Floor
Providence, Rhode Island 02903

By Facsimile and EPA Pouch Mail:

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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: MAY 25 2007



Annette Duncan
Secretary