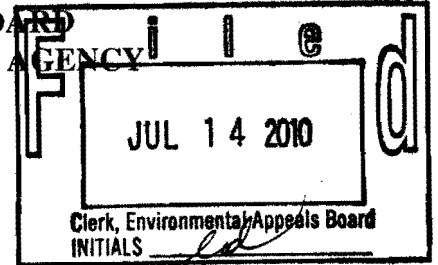


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



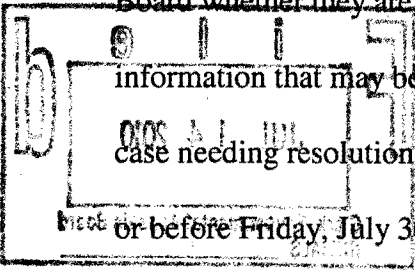
In re:)
)
Guam Waterworks Authority's)
Northern District Sewage)
Treatment Plant)
NPDES Permit No. GU0020141)
) NPDES Appeal Nos. 09-15 & 09-16
and)
)
Guam Waterworks Authority's)
Agana Sewage Treatment Plant)
NPDES Permit No. GU0020087)

Order Requesting Status Report

The Environmental Appeals Board ("Board") recently learned via press reports about a tentative settlement between U.S. E.P.A. Region 9 (the "Region") and the petitioner in NPDES Appeal No. 09-01. Similar to the above-captioned case, NPDES Appeal No. 09-01 is an appeal of the Region's denial of a waiver for secondary treatment. The parties in that case did not inform the Board that settlement discussions were underway, nor have the parties informed the Board whether the tentative settlement will impact NPDES Appeal No. 09-01. Timely communications about the status of a case enables the Board to determine how best to allocate its limited resources. By devoting resources to a case that may settle, the Board defers its handling of other cases in which the Agency, states, other parties, and the public are awaiting resolution.

To avoid a similar situation in the above-captioned case, the Board hereby orders counsel for Guam Waterworks Authority and the Region to submit a status report informing the

Board whether they are currently engaged in settlement discussions, and/or to provide any other information that may bear on whether the Board should continue to treat this matter as an active case needing resolution. Any such information may be provided either jointly or separately on or before Friday, July 30, 2010.



So ordered.

ENVIRONMENTAL APPEALS BOARD

By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

Dated: *July 14, 2010*

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Requesting Status Report in the matter of Guam Waterworks Authority Northern District Sewage Treatment Plant, NPDES Appeal No. 09-15, and in the matter of Guam Waterworks and Agana Sewage Treatment Plant, NPDES Appeal 09-16, were sent to the following persons in the manner indicated:

By Pouch Mail and FAX:

Laura Yoshii
Acting Regional Administrator
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901
Fax: (415) 947-3588

Marcela von Vacano
Office of Regional Counsel
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901
Fax: (415) 947-3570

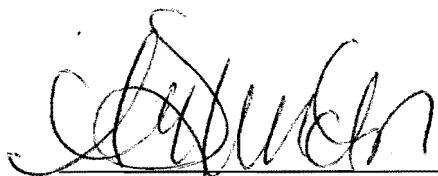
By First Class Mail and FAX:

Samuel J. Taylor
Legal Counsel
Guam Waterworks Authority
578 North Marine Corps Drive
Tamuning, Guam 96913
Fax: (671) 646-2335

Dated: JUL 14 2010

By Interoffice Mail and FAX

Stephen J. Sweeney
Water Law Office (MC 2355A)
Office of General Counsel
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
Fax (202) 564-5477



Annette Duncan
Secretary