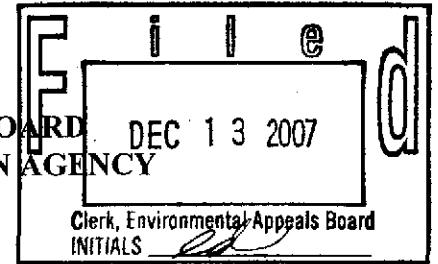


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Wyman Gordon Co.) NPDES Appeal No. 06-14
)
)
NPDES Permit No. MA 0004341)
_____)

ORDER GRANTING REQUEST FOR A CONTINUED STAY OF PROCEEDINGS

In a joint status report filed December 7, 2007, U.S. Environmental Protection Agency Region I (“Region”) and petitioner Wyman Gordon Company (“WGC”) announce that they have reached a settlement in the above-captioned matter. The parties report they intend to implement their settlement through a permit modification. In particular, the parties relate that the Region, pursuant to 40 C.F.R. § 124.19(d), will withdraw certain effluent limitation terms in the final NPDES permit it reissued to WGC¹ and replace these conditions with a set of Best Management Practices (“BMPs”).² The parties further report that “[i]n all other respects, the permit will remain unchanged.”

Expressing their intent to resolve this matter without litigation and to conserve judicial resources, WGC and the Region request a 90-day continuation of the current stay of proceedings in order to incorporate the intended settlement conditions through a modified permit. In this regard, the parties represent that a continuation of the current stay will allow them to

¹The Region reissued an NPDES permit to WGC on September 28, 2006.

²The Region and WGC have attached to their status report a list of withdrawn terms (Exhibit A) and BMPs (Exhibit B).

accommodate the following steps to achieve settlement: (1) preparing a draft permit modification and statement of basis; (2) holding a 30-day comment period on the draft period; (3) considering and responding to comments, if any, submitted on the draft permit; and (4) "a 30-day period to ensure that no appeals of the modification are filed." The parties further state that "as soon as practicable following the effective date of the permit modification, [WGC] has agreed to withdraw its Petition for Review and motion to dismiss the appeal in its entirety as moot." Currently, the proceedings are stayed until January 18, 2008, by which date the Region must file its response to WGC's Petition for Review.


For good cause shown, the parties' joint request for a continued stay of proceedings is granted. The proceedings are stayed an additional ninety days, until April 18, 2008, and the Region's January 18, 2008 filing deadline is rescinded. The parties are directed to submit a status report by March 4, 2008, to inform the Board of their progress in modifying the NPDES permit as well any changes in the parties' plans as described above that may affect the timing or likelihood of settlement.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: AC 13 2007

By: _____



Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Request for a Continued Stay of Proceedings in the matter of Wyman Gordon Company, NDPES Appeal No. 06-14, were sent to the following persons in the manner indicated:

By Pouch Mail and Facsimile: Samir Bukhari, Esquire
US EPA Region I
Congress Street, Suite 1100, Mail Code RAA
Boston, MA 02114-2023
Fax No. 617-918-0095

By First Class Mail and Facsimile: Norman E. Bartlett, II, Esquire
Bowditch & Dewey
175 Crossing Boulevard, Suite 500
Framingham, MA 01702
Fax No. 508-929-3080

Date: DEC 13 2007



Annette Duncan
Secretary