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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1

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RESTRICTED INFORMATION

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From: Cynthia E. Liebman, Office of Regional Counsel

Ph: 617-918-1148

Fax: 617-918-0148

Date: 6/20/2006

Number of pages including cover: 6

To: Eurika Durr, Clerk of the Board, EPA Environmental Appeals Board

Fax: 202-233-0121

Ph: 202-233-0122

To: Samantha Woods, Exec. Dir., North & South Rivers Watershed Assn

Fax: 781-659-7915

Ph: 781-659-8168

To: Gary Thomas, Kethro & Thomas, PC

Fax: 781-826-3173

Ph: 781-826-4450

Message: Enclosed please find a Status Report and Joint Motion for Further Stay in the matter of: Town of Rockland Wastewater Treatment Plant, NPDES Appeal No. 06-06, with accompanying Certificate of Service and Transmittal Letter.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION I
 ONE CONGRESS STREET SUITE 1100
 BOSTON, MASSACHUSETTS 02114-2023 ENVIR. APPEALS BOARD

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By Fax and First Class Mail

June 20, 2006

Eurika Durr, Clerk of the Board
 Environmental Appeals Board
 U.S. Environmental Protection Agency
 MC 1103(B), Ariel Rios Building
 1200 Pennsylvania Avenue, N.W.
 Washington, DC 20460-0001

Re: Town of Rockland Wastewater Treatment Plant; Appeal Number NPDES 06-06

Dear Ms. Durr:

In connection with the above-referenced permit appeal, please find enclosed for docketing and review by the United States Environmental Protection Agency's ("EPA") Environmental Appeals Board (the "EAB"), a faxed copy of the parties' Status Report and Joint Motion for Further Stay of the Proceedings. Region I is also today sending an original and five copies of this motion by first class mail to the EAB. As indicated in the Certificate of Service, a copy of this motion has been served on the Petitioner by fax and by first class mail.

Thank you for your attention to this matter.

Sincerely,

Cynthia E. Liebman
 Office of Regional Counsel

cc w/ encl : Ms. Samantha Woods, Executive Director, North & South Rivers Watershed Association, at P.O. Box 43, Norwell, MA 02061

Director of Watershed Management, Attn: Mr. Glenn Haas, Massachusetts DEP,
 One Winter Street, Boston, MA 02108

John Laughlin, Principal Executive Officer, Rockland Sewer Commission, P.O.
 Box 330, Rockland, MA 02370

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

)
In the Matter of:)
)
Town of Rockland Wastewater)
Treatment Plant)
)
NPDES Permit No: MA0101923)
_____)

NPDES Appeal No. 06-06

STATUS REPORT AND JOINT MOTION FOR FURTHER STAY
OF THE PROCEEDINGS

Region I of the Environmental Protection Agency ("Region"), Respondent, and the North & South Rivers Watershed Association, Inc., Petitioner, respectfully submit to the Environmental Appeals Board ("Board") this Status Report and Joint Motion for Further Stay of the Proceedings in the above-referenced appeal until October 20, 2006.


On January 26, 2006, EPA reissued a National Pollutant Discharge Elimination System ("NPDES") Permit, No. MA0101923 ("Permit"), to the Town of Rockland, Massachusetts Board of Sewer Commissioners authorizing wastewater discharges from the Rockland Wastewater Treatment Plant into the French Stream and establishing effluent limitations, monitoring requirements, and other conditions for such discharges. On March 1, 2006, the North & South Rivers Watershed Association ("NSRWA") filed a petition for review by the Board contesting the Permit's compliance schedule, effluent limitations for nutrients, and infiltration/inflow control plan. The Board directed the Region to submit a response by April 21, 2006 that addressed the Petitioner's contentions and whether the Petitioner had satisfied the requirements for obtaining review.

The parties submitted a Joint Motion for Stay on April 6, 2006 in light of ongoing settlement negotiations. On April 10, 2006, the Board granted the parties a stay until June 20, 2006, on which date the parties were to file a Status Report. The parties have engaged in discussions regarding resolution of the appeal, including in-person meetings on April 12 and May 5, 2006 and exchanges of correspondence.

Through these discussions, the parties have made substantial progress toward achieving an agreement in principle on a settlement of the appeal which will address the NSRWA's concerns. Assuming such an agreement is reached, the settlement will involve a permit modification. Accordingly, the parties seek an additional four (4) month stay of the proceedings. This time frame is based on the need for the parties to reach a final agreement, and then for EPA to discuss proposed permit changes with the Permittee, issue a draft permit with a thirty (30) day comment period, review comments and prepare a response to comments, and issue a final permit modification.

For the foregoing reasons, the Parties respectfully request a four (4) month stay of the proceedings before the Board in this case until October 20, 2006. On or before that date, the parties will file a Status Report with the Board indicating whether the permit modification has been finalized and the appeal withdrawn, or, if not, whether additional time is needed to complete the modification or alternatively whether a briefing schedule should be established.

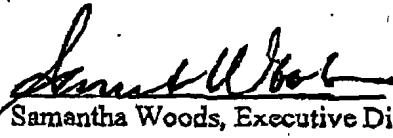
United States EPA/Region I


Cynthia E. Liebman, Counsel
Office of Regional Counsel
US EPA Region 1 (SEL)
One Congress St. - Suite 1100
Boston, MA 02114-2023
Phone: (617) 918-1148
Fax: (617) 918-0148

Dated: June 20, 2006

Respectfully submitted,

North & South Rivers Watershed
Association


Samantha Woods, Executive Director
North & South Rivers Watershed

P.O. Box 43
Norwell, MA 02061
Phone: (781) 659-8168
Fax: (781) 659-7915

Dated: June 20, 2006



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

In re: Town of Rockland Wastewater Treatment Plant
Appeal Number NPDES 06-06

CERTIFICATE OF SERVICE

I hereby certify that on this 20th Day of June, 2006, EPA Region 1 served a true copy of the parties' Status Report and Joint Motion for Further Stay of the Proceedings in the above-captioned matter on the following person:

By FAX and United States First Class mail to Ms. Samantha Woods, Executive Director, for the Petitioner, North & South Rivers Watershed Association, at P.O. Box 43, Norwell, MA 02061.

I further certify that on this 20th Day of June, 2006, EPA Region 1 filed an original and five copies of the parties' Status Report and Joint Motion for Further Stay of the Proceedings in the above-captioned matter with the following person:

By FAX and United States First Class mail to the U.S. Environmental Protection Agency, Clerk of the Board, Environmental Appeals Board (MC 1103B) Ariel Rios Building 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460-0001

Cynthia E. Liebman
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Date: June 20, 2006