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ENVIR. APPEALS BOARD

Date: August 7, 2007

**U.S. Environmental Protection Agency
Office of Regional Counsel
One Congress Street, Suite 1100
Boston, MA 02114-2023
Phone: (617) 918-1148
Fax: (617) 918-1029**

PLEASE DELIVER TO:

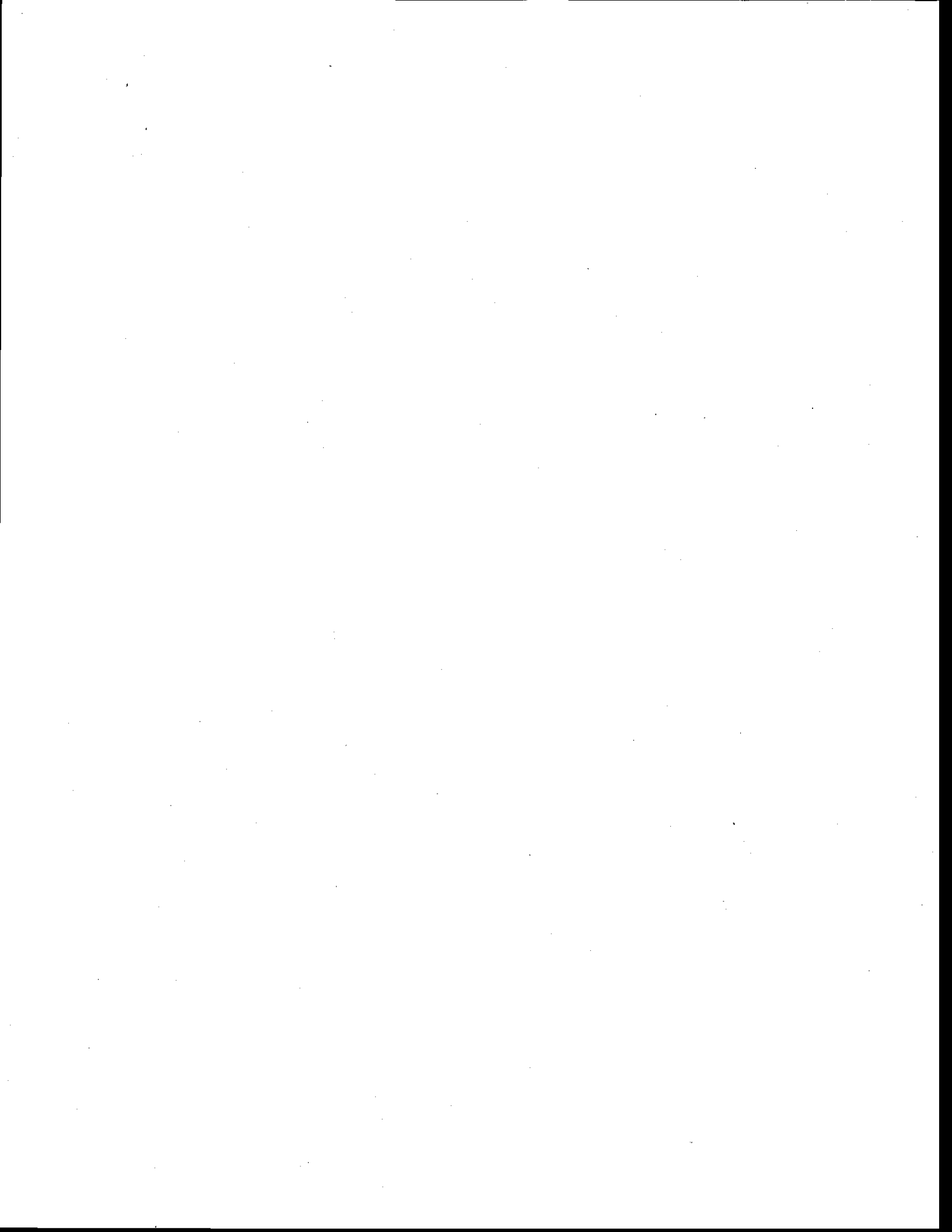
**Eurika Durr
Clerk, EPA Environmental Appeals Board
(202) 233-0121**

**From: Samir Bukhari
Attorney, Office of Regional Counsel
EPA, Region 1**

Number of Pages to Follow: 4

**RE: Status Report
Town of North Attleborough Wastewater Treatment Facility
NPDES Appeal Nos. 07-02 and 07-04
NPDES Permit No. MA0101036**

Original will follow via First Class Mail.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

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August 7, 2007

VIA FACSIMILE AND FIRST CLASS MAIL


U.S. Environmental Protection Agency
Environmental Appeals Board (MC1103B)
Attn: Eurika Durr, Clerk of the Board
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

**Re: Status Report
Town of North Attleborough Wastewater Treatment Facility
NPDES Appeal Nos. 07-02 and 07-04
NPDES Permit No. MA0101036**

Dear Ms. Durr:

In connection with the above-referenced permit appeals, please find U.S. EPA-Region 1's Status Report and Certificate of Service for docketing and review by the U.S. EPA Environmental Appeals Board. An originally executed copy of the filing and five additional paper copies have been sent via First Class U.S. Mail.

Sincerely,


Samir Bukhari
Assistant Regional Counsel
Office of Regional Counsel
US EPA-Region 1

Enclosures

cc:

Recipients Listed on Enclosed Certificate of Service



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

2007 AUG -7 AM 11:25
ENVIR. APPEALS BOARD

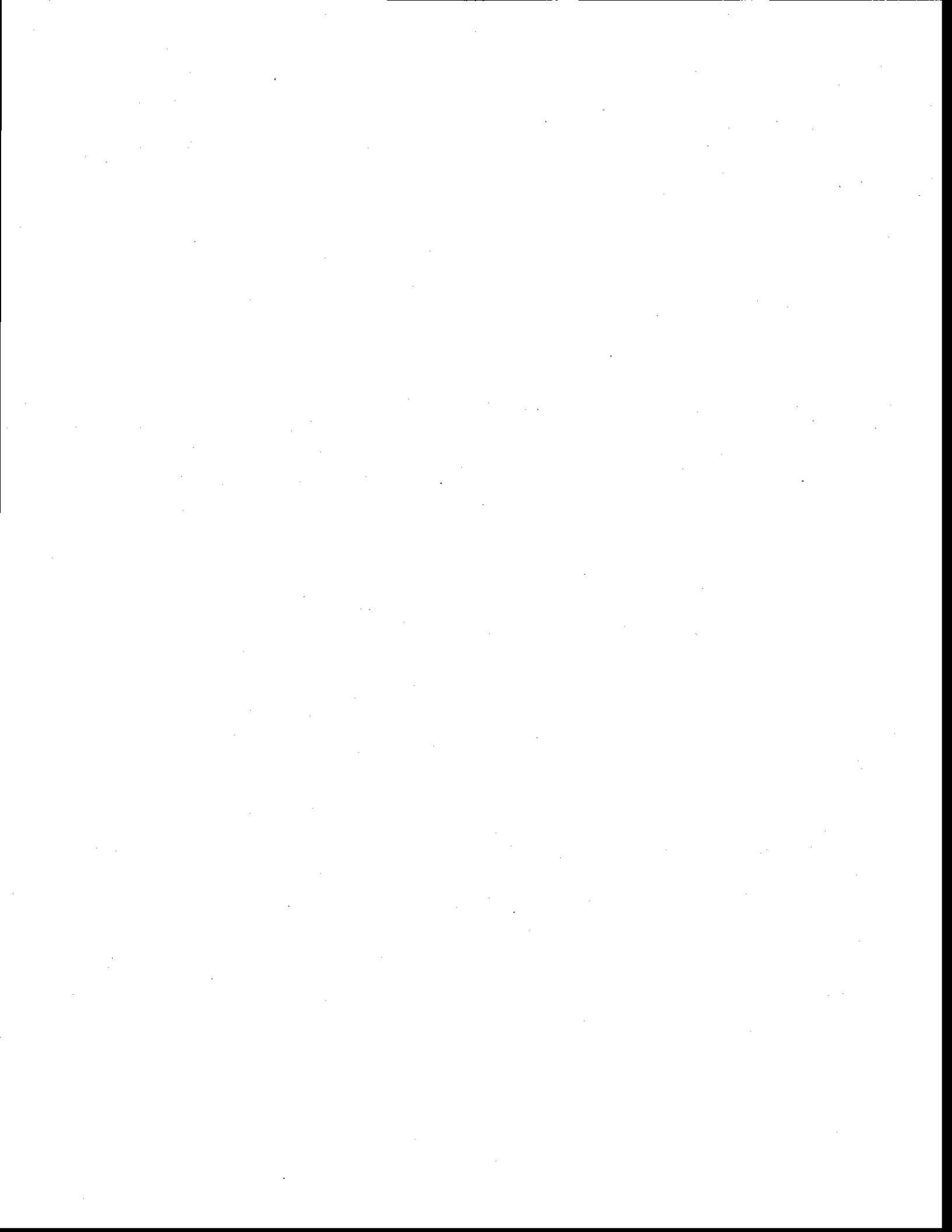
_____)	
In the Matter of:)	
)	
Town of North Attleborough)	NPDES Appeal No. 07-02
Wastewater Treatment Facility)	NPDES Appeal No. 07-04
)	
NPDES Permit No. MA0101036)	
_____)	

STATUS REPORT

In its Second Order Staying Proceedings and Order Scheduling Status Conference (June 21, 2007), the U.S. Environmental Appeals Board directed U.S. EPA Region 1 ("Region") to file a status report on the progress of settlement discussions in the above-captioned matter no later than August 8, 2007.

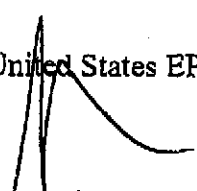
The Region, the Town of North Attleborough and the Rhode Island Department of Environmental Management ("DEM") have reached an agreement to resolve the contested phosphorus and nitrogen conditions in the permit. This agreement is contingent upon the parties successfully resolving their dispute over the calculation of permit's metals limits. The Region has outlined its position on this issue, which the parties are actively considering. Given the significant progress made with respect to the highly contentious nutrient-related issues on appeal, and the delay and uncertainty that would result should the parties fail to successfully address their few remaining differences, the parties believe the prospects for settlement remain strong.

Counsel for the Town and DEM have assented to this status report.



Respectfully submitted,

United States EPA-Region 1



Samir Bukhari, Esq.
Assistant Regional Counsel
US EPA Region 1 (RAA)
One Congress St. - Suite 1100
Boston, MA 02114-2023
Phone: (617) 918-1095
Fax: (617) 918-0095

Dated: August 7, 2007



In the Matter of:
Town of North Attleborough Wastewater treatment Facility
NPDES Appeals Nos. 07-02 and 07-04

CERTIFICATE OF SERVICE

I, Samir Bukhari, hereby certify that copies of a Status Report in connection with above-referenced appeals were sent on August 7, 2007 to the following persons in the manner described below:

By Facsimile
Original by First Class Mail

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

Copy by First Class Mail

Jeffrey T. Blake, Esq.
Kopelman and Paige, P.C.
101 Arch Street
12th Floor
Boston, MA 02110-1109

Susan B. Wilson, Esq.
Rhode Island Department of Environmental
Management
Office of Legal Services
235 Promenade Street, 4th Floor
Providence, RI 02908-5767

Dated: August 7, 2007



Samir Bukhari, Esq.
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US EPA Region I (RAA)
One Congress St. - Suite 1100
Boston, MA 02114-2023
617-918-1095

