



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
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BOSTON, MA 02114-2023

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ENVIR. APPEALS BOARD

FACSIMILE TRANSMISSION

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From: Cynthia E. Liebman, Office of Regional Counsel

Ph: 617-918-1148

Fax: 617-918-0148

Date: 10/20/2006

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.

Thank you
- Cynthia



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

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ENVIR. APPEALS BOARD

By Fax and First Class Mail

October 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 1 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,

A handwritten signature in cursive script that reads "Cynthia E. Liebman".

Cynthia E. Liebman
Office of Regional Counsel

cc w/ encl : Ms. Samantha Woods, Executive Director, North & South Rivers Watershed Association, P.O. Box 43, Norwell, MA 02061
Gary Thomas, Esq., Kelthro & Thomas, P.C., 1165 Washington Street, Hanover, MA 02339
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



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

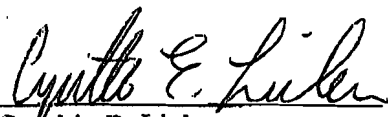
I hereby certify that on this 20th Day of October, 2006, EPA Region 1 served a true copy of the parties' Status Report and Joint Motion for Further Stay of the Proceedings in the above-captioned matter on the following person:

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.

By FAX and United States First Class mail to Gary Thomas, Esq. Of Kethro & Thomas, P.C., Counsel for the Petitioner, at 1165 Washington Street, Hanover, MA 02339.

I further certify that on this 20th Day of October, 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
Office of Regional Counsel
U.S. EPA - Region 1
1 Congress Street, Suite 1100 (SEL)
Boston, MA 02114-2023
Tel: (617) 918-1148
Fax: (617) 918-0148

Date: October 20, 2006

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

NOV OCT 20 PM 3: 20
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 February 20, 2007.

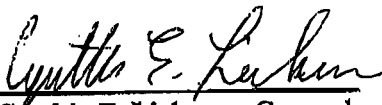
On January 26, 2006, EPA reissued a National Pollutant Discharge Elimination System ("NPDES") Permit, No. MA0101923 ("Permit"), to the Town of Rockland, Massachusetts Board of Sewer Commissioners authorizing wastewater discharges from the Rockland Wastewater Treatment Plant into the French Stream and 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.

On April 10, 2006 and June 27, 2006, the Board granted the parties stays of the proceedings until June 20, 2006 and October 20, 2006, respectively, to enable the parties to continue negotiations to reach a settlement of the issues raised in the petition for review. During the past four months, the parties have reached final agreement on the terms of a settlement that will include, among other items, a modification to the compliance schedule for the final phosphorous and ammonia effluent concentration limits. The parties have also obtained agreement with the terms of the settlement from the permittee, the Town of Rockland. The parties seek an additional four (4) month stay of the proceedings in which EPA will issue a draft permit modification 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 February 20, 2007. 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.

Respectfully submitted,

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: October 20, 2006

North & South Rivers Watershed Association


Gary Thomas, Esq.

Counsel for North & South Rivers Watershed Association

Kethro & Thomas, PC
1165 Washington St.
Hanover, MA 02339
Phone: (781) 826-4450
Fax: (781) 826-3173

Dated: October 19, 2006