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UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY

Office of Regional Counsel Region I/New England
1 Congress Street, Suite 1100
Boston, MA 02114-2023

September 29, 2005

Eurika Durr
Clerk of the Board, Environmental Appeals Board
Colorado Building
1341 G Street, N.W., Suite 600
Washington, D.C. 20005

RE: Beacon Park Yard, Permit Number MA0025704
Appeal Number: NPDES 05-13

Dear Ms. Durr,

Enclosed is the original signature page for a Joint Motion for Stay of the Proceedings in the above-referenced appeal. A copy signed by counsel for Petitioner was faxed to you on Sept. 21, 2005. I apologize for the delay in sending this original.

Please let me know if you need any additional information. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jeanhee Hong".

Jeanhee Hong
Assistant Regional Counsel, EPA Region I

cc: Tom Anderson, Counsel, CSX Transportation

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3.18.05

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

In the Matter of:)

CSX Transportation, Inc.)

NPDES Appeal No. 05-13

JOINT MOTION FOR STAY OF THE PROCEEDINGS

Region 1 of the Environmental Protection Agency ("EPA" or the "Region"), Respondent, and CSX Transportation, Inc. ("CSX"), Petitioner, respectfully submit to the Environmental Appeals Board ("Board") this Joint Motion for Stay of the Proceedings in the above-referenced appeal. The basis for this motion is to allow the parties to resolve the issues raised by Petitioner in its appeal, as discussed below.

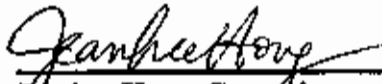
On July 1, 2005, EPA reissued a National Pollutant Discharge Elimination System ("NPDES") Permit, No. MA0025704, to CSX authorizing wastewater discharges into, and cooling water intake from, the Charles River in connection with CSX's freight train servicing operations in Allston, Massachusetts. On August 10, 2005, CSX filed a petition for review by the Board contesting the permit's revised flow limit and new temperature monitoring requirements, and requesting additional time to comply with several other new permit requirements. The Board directed the Region to submit a response by October 3, 2005 that addresses CSX's contentions and whether CSX has satisfied the requirements for obtaining review.

The parties have entered into settlement negotiations and believe there is a substantial likelihood of resolution of some or all of the issues in this appeal. A settlement of some or all of

the issues in this appeal will simplify or resolve the issues before the Board and thus conserve the Board's resources. Therefore, the Region and CSX request a stay the proceedings before the Board in this case until December 8, 2005. On or as soon as possible before that date, the Parties will submit a status report to advise the Board whether it is appropriate to continue the stay, dismiss the Petition, or establish a schedule for EPA's response to the Petition.

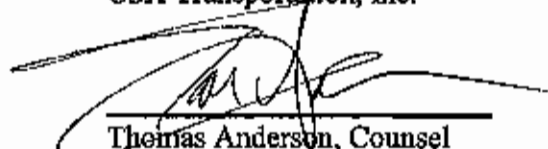
Respectfully submitted,

United States EPA/Region I


Jeanhee Hong, Counsel
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US EPA Region 1 (RAA)
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Boston, MA 02114-2023
Phone: (617) 918-1787
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Dated: September 29, 2005

CSX Transportation, Inc.


Thomas Anderson, Counsel
CSX Transportation, Inc.
500 Water Street, J-150
Jacksonville, FL 32202

Phone: (904) 366-4752
Fax: (904) 357-7718

Dated: September 21, 2005