

KEEGAN, WERLIN & PABIAN, LLP

RECEIVED
U.S. E.P.A.

ATTORNEYS AT LAW
285 FRANKLIN STREET
BOSTON, MASSACHUSETTS 02110-3113
(617) 851-1400

2004 AUG -9 PM 2:26

TELECOPIERS
CIVIL APPEALS BOARD
1-1354
(617) 851-0586

August 4, 2004

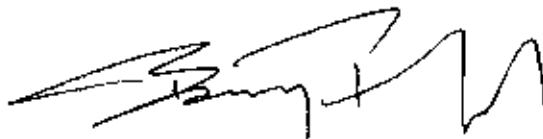
U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board (MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

RE: *In re: City of Newburyport Wastewater Treatment Facility*
NPDES Permit No. MA-0101427
NPDES Appeal Nos. 04-05 and 04-06

Dear Ms. Durr:

In the above-referenced matter, please find enclosed the *City of Newburyport's Motion to Further Extend Deadline to Respond to the Petition for Review Filed by the Island Futures Group, Inc.* Thank you for your attention to this matter.

Very truly yours,



Barry P. Fogel

BPF/cb
Enclosure

cc: City of Newburyport Sewer Commission
Tonia Bandrowicz, Senior Enforcement Counsel, EPA
M.R. Eigerman, Island Futures Group, Inc.

RECEIVED
U.S. E.P.A.

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

2004 AUG 27 PM 2:27

ENVIR. APPEALS BOARD

)
In re:)
)
City of Newburyport, MA)
Wastewater Treatment Facility)
)
NPDES Permit No. MA0101427)
_____)

NPDES Appeal No. 04-06

CITY OF NEWBURYPORT'S MOTION TO EXTEND
DEADLINE TO RESPOND TO THE PETITION FOR REVIEW
FILED BY ISLAND FUTURES GROUP, INC.

By Order dated July 29, 2004, the Environmental Appeals Board (the "Board") granted the City of Newburyport's ("City") *Motion to Extend Deadline to Respond to the Petition for Review filed by Island Futures Group, Inc.* The Order established August 6, 2004 as the filing deadline for any response filed by the City, the same date that the response of the Environmental Protection Agency ("EPA") to IFG's petition originally was to be filed. In a motion filed August 3, 2004, EPA requested a further extension at least until August 27, 2004, to file its response to IFG's petition, and by Order dated August 4, 2004, the EAB granted a further extension until August 27, 2004. The City hereby requests an extension until August 27, 2004, to respond to IFG's Petition.

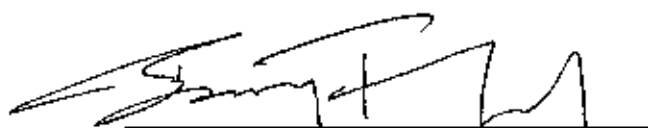
As good cause for this motion, the City states that it still needs additional time to evaluate and respond to IFG's petition. The issues raised in IFG's petition either are entirely new or generally add new arguments to arguments raised earlier. Consequently, the City needs additional time to evaluate IFG's arguments fully and prepare appropriate responses that express the City's important perspective on the issues raised by IFG.

For these reasons, the City requests that the date for its response to IFG's petition be extended either August 27, 2004.

Respectfully submitted,

CITY OF NEWBURYPORT

By its attorneys,



Barry P. Fogel
Nancy Kaplan
Cheryl A. Blaine
Keegan, Werlin & Pabian, LLP
265 Franklin Street
Boston, MA 02110
(617)-951-1400
(617)-951-1354 (facsimile)

Dated: August 4, 2004

I hereby certify that a true copy of the
above document was served upon the
attorney of record for each party
By me on 8/4/04
[Signature]