



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1 – New England
5 Post Office Square, Suite 100
Boston, MA 02109-3912

VIA ELECTRONIC FILING

June 1, 2017

Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
U.S. EPA East Building, Room 3334
Washington, DC 20004

RE: In re Town of Marion Wastewater Treatment Plant
NPDES Permit No. MA0100030; NPDES Appeal No. 17-01

Dear Ms. Durr:

Please find the Joint Notice of Intent to Participate in the Alternative Dispute Resolution Program and accompanying Certificate of Service, in connection with NPDES Appeal No. 17-01.

Thank you for your assistance with this matter.

Sincerely,

/s/ Michael Curley
Michael Curley
US EPA – Region 1
Office of Regional Counsel
5 Post Office Square
Mail Code: ORA 17-1
Boston, MA 02109-3912
Tel: (617) 918-1623
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Email: curley.michael@epa.gov

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

_____)
In the Matter of:)
)
Town of Marion)
Wastewater Treatment Plant)
)
NPDES Appeal No. 17-01)
NPDES Permit No. MA0100030)
_____)

**JOINT NOTICE OF INTENT TO PARTICIPATE IN THE ALTERNATIVE DISPUTE
RESOLUTION PROGRAM**

On April 13, 2017, the U.S. Environmental Protection Agency Region 1 issued NPDES Permit No. MA0100030 for the Marion Water Pollution Control Facility to the Town of Marion, Massachusetts. On May 15, 2017, the Buzzards Bay Coalition filed a Petition for Review of the Permit with the Environmental Appeals Board. On May 18, 2017, the Board sent letters to Region 1 and the Buzzards Bay Coalition informing the parties of the Board’s Alternative Dispute Resolution (“ADR”) Program. Region 1 and the Buzzards Bay Coalition hereby notify the Board of our election to participate in the Board’s ADR Program and respectfully request that the Board assign a Settlement Judge.

/s/ Michael Curley
Michael Curley, Esq.
Assistant Regional Counsel
EPA Region 1
5 Post Office Square
Boston, MA 02109

/s/ Michael Curley for Mark Chertok
Mark A. Chertok, Esq.
Sive, Paget & Reisel, P.C.
560 Lexington Ave., 15th floor
New York, NY 10022

Date: June 1, 2017

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Joint Notice of Intent to Participate in the Alternative Dispute Resolution Program, in the matter of Town of Marion Wastewater Treatment Plant, NPDES Appeal No. 17-01, were served on the following persons in the manner indicated:

By Electronic Filing and Overnight Mail:

Ms. Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
U.S. EPA East Building, Room 3334
Washington, DC 20004

By Electronic Mail and Overnight Mail:

Mark A. Chertok, Esq.
Sive, Paget & Riesel, P.C.
560 Lexington Ave., 15th Floor
New York, NY 10022
mchertok@sprlaw.com

Dated: June 1, 2017

/s/ Michael Curley

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