



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

VIA ELECTRONIC FILING

March 21, 2014

Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

RE: In re Uxbridge Wastewater Treatment Facility
NPDES Permit No. MA0102440; NPDES Appeal No. 13-06

Dear Ms. Durr:

Please find the Ninth Joint Status Report and accompanying Certificate of Service, in connection with NPDES Appeal No. 13-06.

Thank you for your assistance with this matter.

Sincerely,

/s/ Michael Curley
Michael Curley, Attorney-Adviser
US EPA – Region 1
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**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

_____)	
In the Matter of:)	
)	
Town of Uxbridge)	
Wastewater Treatment Facility)	NPDES Appeal No. 13-06
)	
NPDES Permit No. MA0102440)	
_____)	

NINTH JOINT STATUS REPORT

Region 1 of the United States Environmental Protection Agency (“Region”) and the Town of Uxbridge Sewer Commission (“Uxbridge”) hereby provide the Environmental Appeals Board (“Board”) with an update of the progress of negotiations in the above-captioned matter. The parties continue to make progress toward a negotiated settlement of the appeal. The parties convened on March 18, 2014 to discuss the proposed Administrative Order on Consent and largely agreed on adjustments to the order that will likely resolve the remaining issues.

BACKGROUND

On June 18, 2013, the Region issued National Pollutant Discharge Elimination System Permit No. MA0102440 (“NPDES Permit”) to Uxbridge. On July 19, 2013, Uxbridge filed a Petition for Review (“Petition”) with the Board requesting review of certain conditions of the NPDES Permit. The Board granted the parties’ joint motion for a stay on July 30, 2013 and the parties’ subsequent joint motions to extend the stay. The

Board's February 24, 2014 Order stayed the proceedings until March 28, 2014 and, *inter alia*, required the parties to file a Status Report by March 21, 2014.

STATUS REPORT

Since the last filing, the parties have continued to make progress towards finalizing a settlement. On March 18, 2014, the parties met at the EPA offices in Boston to discuss the outstanding issues and largely agreed on appropriate refinements to the proposed order to resolve them. Accordingly, the Region is making final revisions to the order, which it intends to share with Uxbridge early next week. The parties are optimistic that final agreement on the proposed order can be reached prior to the expiration of the stay.

Dated: March 21, 2014

Respectfully submitted,

U.S. EPA – Region 1

Town of Uxbridge Sewer Commission

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Ninth Joint Status Report, in connection with *In re Town of Uxbridge Wastewater Treatment Facility*, NPDES Appeal No. 13-06, was sent to the following persons in the manner indicated:

By Electronic Filing:

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, by agreement between the parties:

Mr. John F. Shea, Esq.
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Dated: March 21, 2014

/s/ Michael Curley

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