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April 24, 2009

Rebecca L. Puskas
617 832 3039
rpuskas@foleyhoag.com

Via FedEx, Fax and .pdf

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

Re: In re Town of Wayland Wastewater Management District Commission; NPDES
Permit No. MA0039853; NPDES Appeal Nos. 08-26 and 08-27

Dear Ms. Durr:

Please find enclosed a Motion to Reschedule Teleconference & Notice of Participants for the above-referenced matter, with an attached certificate of service. An electronic copy has also been posted to the CDX system today.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca L. Puskas".

Rebecca L. Puskas

Enclosure

cc Counsel of Record (with enclosure)
Frederic Turkington, Town Administrator (with enclosure)
Ian Catlow, Town Engineer (with enclosure)

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

In re Town of Wayland Wastewater
Management District Commission
NPDES Permit No. MA 0039853

NPDES Appeal No. 08-26
and
NPDES Appeal No. 08-27

**MOTION TO RESCHEDULE TELECONFERENCE &
NOTICE OF PARTICIPANTS**

On February 6, 2009, the Environmental Appeals Board (“Board”) granted the Town of Wayland’s (“Town’s”) motion to intervene, file a response to the petitions, and participate as a party in the above-captioned appeals. The Town was notified by telephone by counsel for EPA Region 1 of the teleconference scheduled by the Board for Thursday, April 30, 2009 at 2 PM.

The Town respectfully requests the Board to reschedule the teleconference due to a pre-existing conflict on the part of the Town’s counsel. The Town has consulted with the other parties and has identified the following dates and times when all parties could participate if the conference is rescheduled:

Monday, May 4, 1-4 PM
Tuesday, May 5, 1-5 PM
Wednesday May 6, 10 AM -12 PM or 1-5 PM
Thursday May 7, 10 AM - 12 PM or 1-5 PM

Unless and until the parties are notified otherwise, the Town will make all efforts to participate in the teleconference as scheduled on April 30 at 2 PM. The Town will be represented by Adam P. Kahn, who will participate from Houston, Texas. Mr. Kahn will be available on the date of the conference at (281) 872-2504. If prior arrangements are required, please contact Mr. Kahn directly at (617) 832-1206. Also present will be

Frederic Turkington, Town Administrator and Ian Catlow, Town Engineer. Rebecca Puskas may also participate. These individuals will participate from Foley Hoag's office in Boston. The Town respectfully requests that the Board's technical support staff contact Adam Kibbe of Foley Hoag at (617) 832-7031 to coordinate the conference.

Respectfully submitted,



Adam P. Kahn, BBO #561554
Rebecca L. Puskas, BBO# 672555
Foley Hoag LLP
155 Seaport Blvd.
Boston, Massachusetts 02210
(617) 832-1000

Dated: April 24, 2009

CERTIFICATE OF SERVICE

I, Rebecca L. Puskas, hereby certify that on this day, April 24, 2009, a true and accurate copy of the foregoing document was sent to the following persons in the manner described below:

Original by FedEx
Copy by fax
Copy posted to CDX system

Eurika Durr, Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
Colorado Building
1341 G Street, N.W., Suite 600
Washington, D.C. 20005
Fax: (202) 233-0121

Copy by fax
Copy by first class mail
Copy by email

Ronald Fein, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency,
Region 1
One Congress Street, Suite 1100
Boston, MA 02114
Fax: (617) 918-0040


Copy by fax
Copy by first class mail
Copy by email

Deidre C. Menoyo, Esq.
Attorney at Law
388 Willis Road
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Copy by fax
Copy by first class mail
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Robin Lepore
Staff Attorney
Office of the Regional Solicitor
Department of Interior
One Gateway Center, Suite 612
Newton, MA 02458
Fax: (617) 527-6848

Signed: April 24, 2009:



Rebecca L. Puskas