

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

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In the Matter of:)	
)	
ExxonMobil Oil Corporation)	NPDES Appeal No. 08-23
)	
)	

JOINT MOTION FOR STAY OF THE PROCEEDINGS

Region 1 of the United States Environmental Protection Agency (“Region”) and the ExxonMobil Oil Corporation (“ExxonMobil”) request that the U.S. EPA Environmental Appeals Board stay the proceedings in the above-referenced appeal until February 10, 2009, to allow the parties to undertake settlement negotiations with the intent of settling or narrowing the issues for review. As basis for this Motion, the parties submit the following grounds.

GROUND

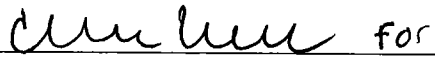
The Region reissued NPDES Permit No. MA0000833 to ExxonMobil on September 29, 2008. On October 28, 2008, ExxonMobil timely filed a petition for review by the Board contesting certain conditions of the permit. By letter dated October 28, 2008, the Board directed the Region to prepare a response that addresses ExxonMobil’s contentions and whether ExxonMobil has satisfied the requirements for obtaining review.

Upon consideration of the permitting documents and the petition for review, the parties believe that resolution of some or all of the issues in this appeal is possible and have agreed to enter into settlement discussions.

REQUESTED RELIEF

Accordingly, the parties request that the December 15, 2008, deadline for filing of the Region's response to the petition for review be rescinded and that this matter be stayed for a three-month period, ending February 10, 2009, to allow the parties to focus on these negotiations. A stay of this length is reasonable and necessary given the technical complexity underlying Region 1's permitting determinations in this matter as well as the logistical difficulty of scheduling one or more meetings between Regional personnel based in Boston, Massachusetts, and ExxonMobil representatives based in Houston, Texas. If a stay is not granted, the parties will be forced to divert their time and effort to the proceedings before this Board, when there is a substantial possibility that the issues raised in the petition for review may be narrowed or resolved through settlement discussions. Therefore, in an effort to conserve administrative resources, and to encourage efficiency and promote judicial economy, the parties jointly request that these proceedings be stayed until February 10, 2009.

Respectfully submitted,


for
Samir Bukhari



**U.S. Environmental Protection Agency,
Region 1**

ExxonMobil Corporation

By its counsel,

By its counsel,

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