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Bernice I. Corman
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December 5, 2016

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2016 DEC -5 PM 4:16
ENVIR. APPEALS BOARD

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East Building, Room 334
Washington, D.C. 20004

Re: In the Matter of Bridgewater Wastewater Treatment Plan; NPDES Appeal No. 16-01; NPDES Permit No. MA0100641

To the Clerk of the Board:

Enclosed, please find an original and two copies of a “Notice of Appearance of Counsel Bernice I. Corman” and “Motion for Stay, and for an Accelerated Ruling Thereon” and “Request for Oral Argument” submitted by Bernice I. Corman on behalf of the Town of Bridgewater in In the Matter of Bridgewater Wastewater Treatment Plan; NPDES Appeal No. 16-01; NPDES Permit No. MA0100641, Docket No, MA0100641.

Respectfully submitted,

Bernice I. Corman

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

_____)	
In the Matter of:)	
_____)	
Bridgewater Wastewater Treatment)	Appeal No. 16-01
Plant)	
_____)	
NPDES Permit No. MA0100641)	
_____)	

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NOTICE OF APPEARANCE

This Notice serves to alert the Environmental Appeals Board (EAB), United States Environmental Protection Agency, Region 1 and the Massachusetts Department of Environmental Protection of the addition of Bernice I. Corman as counsel for the Town of Bridgewater.

Respectfully submitted,



Bernice I. Corman

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December 5, 2016

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

In the Matter of:

Bridgewater Wastewater Treatment Plan

NPDES Permit No. MA0100641

NPDES Appeal No. 16-01

MOTION FOR STAY, and FOR ACCELERATED DECISION

In accordance with 40 C.F.R. § 124.19(f) (2012), Petitioner, the Town of Bridgewater (the “Town”), respectfully requests that the Environmental Appeals Board (“EAB” or “Board”) stay its ruling on the Motion to Dismiss the Town’s Petition as Untimely and to Stay the Filing of the Response to Petition and Certified Index of the Administrative Record, filed by the U.S. Environmental Protection Agency, Region 1 (“EPA”).

Pursuant to 40 C.F.R. 124.19(a)(2012), the Town filed the above-captioned appeal of the NPDES Permit issued by EPA to the Town of Bridgewater Board of Water and Sewer Commissioners for the Taunton River Basin MA62-13. EPA’s Motion to Dismiss, the Town’s Opposition, and EPA’s Reply cover EPA’s allegation that the Town failed to timely effectuate service of its Appeal on the Board; as well as the Town’s response that EPA failed to timely effectuate notification of the date of Permit issuance on the Town, and of the sudden death of the Town official upon whom EPA did serve notification.

The Town is seeking to stay the Board’s ruling on the Motion to Dismiss for several reasons. First, late last week, the Town engaged Rubin and Rudman, LLP’s Bernice I. Corman as Environmental Counsel to assist the Town in this matter. Ms. Corman is new to the record, and requires time to familiarize herself with its contents.

Second, the Town was hopeful, in part, based upon representations made by EPA, that the parties would be able to jointly explore whether they could resolve their differences over the above-captioned Permit by negotiating a settlement that would be mutually acceptable to both parties and environmentally beneficial. The Board's denial of EPA's Motion to Dismiss would allow EPA and the Town to focus their attention on such objective, and thereby conserve their resources, as well as those of this Honorable Board.

EPA does not assent to the Town's Motion to Stay.

Respectfully submitted,



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Environmental Counsel for Town of Bridgewater

Date: Dec. 5, 2016

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

In the Matter of:

Bridgewater Wastewater Treatment Plan

NPDES Permit No. MA0100641

NPDES Appeal No. 16-01

ENVIR. APPEALS BOARD

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REQUEST FOR ORAL ARGUMENT

Petitioner, the Town of Bridgewater (the "Town"), respectfully requests that the Environmental Appeals Board ("Board") order oral argument in the above-captioned matter, specifically, on the Town's Motion to Stay the Board's decision on the Motion to Dismiss the Town's Petition as Untimely and to Stay the Filing of the Response to Petition and Certified Index of the Administrative Record, filed by the U.S. Environmental Protection Agency, Region 1 ("EPA"). Oral argument should assist the Board in determining whether its granting a stay will facilitate a resolution that will accelerate environmental protection; as well as allow for the most prudent allocation of the parties' and the Boards resources.

Respectfully submitted,



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Environmental Counsel for Town of Bridgewater

Date: Dec. 5, 2016

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MOTION FOR STAY, AND FOR AN ACCELERATED RULING THEREON and REQUEST FOR ORAL ARGUMENT; and NOTICE OF APPEARANCE OF COUNSEL in the matter of Bridgewater Wastewater Treatment Plan, NPDES Permit No. MA0100641, Appeal No.16-01, were served by via electronic delivery with the express consent to serve via electronic delivery, by USPS First Class mail, postage prepaid, or in-hand on the following persons, this Fifth day of December 2016:

Via Electronic Delivery

Samir Bukhari
Assistant Regional Counsel
US EPA Region 1
5 Post Office Square
Boston, MA 02109-3912
(617) 918-1095
Bukhari.Samir@epa.gov

Via USPS First Class Mail

David R. Ferris, Director
Massachusetts Wastewater Management Program
DEP-Commonwealth of Massachusetts
One Winter Street
Boston, MA 02108

Via Hand Delivery

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Date: December 5, 2016