

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

In the Matter of:

Bridgewater Wastewater Treatment Plant

NPDES Permit No. MA0100641

NPDES Appeal No. 16-01

**STATUS REPORT AND JOINT MOTION FOR FURTHER STAY OF THE
PROCEEDINGS**

In accordance with the February 7, 2017 Order Granting Joint Motion for Further Stay of Proceedings (hereinafter, “Order”) issued by the U.S. Environmental Protection Agency Environmental Appeals Board (the “Board”), the Town of Bridgewater (the “Town”) and U.S. Environmental Protection Agency Region 1 (“EPA”) (hereinafter collectively referred to as the “Parties”) were required to jointly or independently submit to the Board by March 20, 2017, a report on the status of the Parties’ settlement discussions, and whether a further deferral of the Board’s consideration of the Region’s November 15, 2016 Motion to Dismiss would materially assist any ongoing settlement discussions.

In their February 6, 2017 Status Report and Joint Motion for Further Stay of the Proceedings, the Parties committed to a series of interim actions and milestones regarding the exchange of information and settlement proposals, to which the Parties adhered. Accordingly, the Parties agree that their discussions are nearly complete, and that they require an additional two weeks to conclude their discussions. Should such discussions result in an Administrative Consent Order, the Town will voluntarily seek to dismiss with prejudice its Petition for Review by the Board of the above-captioned permit, thereby conserving resources of the Board and the Parties.

Therefore, the Parties jointly and respectfully request that the Board continue to defer ruling on the pending Motion to Dismiss until April 3, 2017.¹

Respectfully submitted,



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Date: March 20, 2017

¹ EPA does not anticipate requesting a further stay of these proceedings. EPA has requested that the Town provide its position on EPA's latest offer as soon as possible, but no later than March 27, 2017. If it appears that the parties will be unable to agree on the substantive terms of a settlement agreement by the end of the proposed stay, EPA would expect to move the Board to proceed with its consideration of the pending Motion to Dismiss.

CERTIFICATE OF SERVICE

I hereby certify that the copies of the foregoing “**STATUS REPORT AND JOINT MOTION FOR FURTHER STAY OF THE PROCEEDINGS**” in the matter of Bridgewater Wastewater Treatment Plan, NPDES Permit No. MA0100641, Appeal No. 16-01, were served by electronic delivery, with the express consent to serve via electronic delivery, this 20th day of March, 2017.

Via Electronic Delivery

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