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ENVIR. APPEALS BOARD

VIA POUCH MAIL

Eurika Durr, Clerk of the Board (MC 1103B)
Environmental Appeals Board
U.S. Environmental Protection Agency
Colorado Building
1341 G. Street, N.W., Suite 600
Washington, D.C. 20460-001

VIA FEDERAL EXPRESS

Brian Postale
Principal Environmental Engineer
Wyman Gordon Company
244 Worcester Street
North Grafton, MA 01536

Re: Notice of Uncontested and Severable Conditions
NPDES Permit No. MA0004341
NPDES Appeal No. 06-14

Dear Mr. Postale:

On October 30, 2006, the Wyman Gordon Company ("Permittee"), filed a Petition for Review of NPDES Permit No. MA0004341 ("Permit") with the U.S. EPA Environmental Appeals Board ("Board") pursuant to 40 C.F.R. § 124.19(a). The Permit had been reissued to the Permittee on September 28, 2006 by the New England Regional Office of the U.S. Environmental Protection Agency ("Region"). The Permit superseded the permit issued by the Region on June 30, 1997 ("Prior Permit").

In its Petition, the Permittee contests the following Permit limits:

Part I.A.1

Oil and Grease
TSS
Copper
Whole Effluent Toxicity, LC-50

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Part 1.A.2

Oil and Grease
TSS
Copper
Whole Effluent Toxicity, LC-50

Part 1.A.3

Oil and Grease
Copper
Iron
Aluminum
Whole Effluent Toxicity, LC-50

Part 1.A.4

Oil and Grease
Copper
Iron
Aluminum
Zinc
Whole Effluent Toxicity, LC-50

Part 1.A.5

Oil and Grease
Copper
Iron
Aluminum
Whole Effluent Toxicity, LC-50

Part 1.A.12(3)

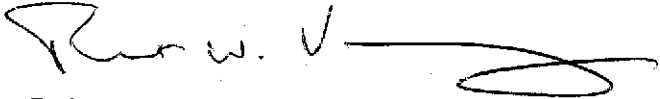
Maximum recycling and reuse of process water, storm water, and non-contact cooling water by the facility to result in minimum, intermittent and infrequent withdrawals of river water through the CWIS.

The limits and conditions contested by the Permittee are referred to herein as the "Contested Conditions." Pursuant to 40 C.F.R. §§ 124.16(a)(2)(ii) and 124.60(b), this letter notifies you of my determination that the Contested Conditions are stayed until final agency action under 40 C.F.R. § 124.19(f). With respect to each of the Contested Conditions, the corresponding term, if any, in the Prior Permit shall remain in effect. All other conditions of the Permit are uncontested

and severable from the Contested Conditions. Thus, all of the other conditions are not stayed and will become fully effective enforceable obligations of the Permit on December 1, 2007, consistent with 40 C.F.R. § 124.16(a)(2)(i).

If you have any questions regarding this correspondence, please feel free to contact Samir Bukhari, the Region's legal counsel in this matter, at 617-918-1095, or Damien Houlihan, in our Office of Ecosystem Protection, at 617-918-1586.

Sincerely,

A handwritten signature in black ink, appearing to read "R. W. Varney", followed by a long horizontal line that loops back under the name.

Robert W. Varney
Regional Administrator

cc: Ned Bartlett, Bowditch & Dewey, LLP (via electronic mail)
Paul Hogan, MassDEP (via electronic mail)
David Webster, EPA
Damien Houlihan, EPA
David J. Gray, EPA
Denny Dart, EPA