



Date: Dec. 20, 2007

**U.S. Environmental Protection Agency**  
**Office of Regional Counsel**  
**One Congress Street, Suite 1100**  
**Boston, MA 02114-2023**  
**Phone: (617) 918-1148**  
**Fax: (617) 918-1029**

RECEIVED  
 U.S. E.P.A.  
 ENVIR. APPEALS BOARD  
 2007 DEC 20 AM 11:27

**PLEASE DELIVER TO:**

**Eurika Durr**  
**Clerk, EPA Environmental Appeals Board**  
**(202) 233-0121**

**From: Samir Bukhari**  
**Attorney, Office of Regional Counsel**  
**EPA, Region 1**

**Number of Pages to Follow: 4**

---

**RE: Joint Status Report**  
**Town of North Attleborough Wastewater Treatment Facility**  
**NPDES Appeal Nos. 07-02 and 07-04**  
**NPDES Permit No. MA0101036**

**Original will follow via First Class Mail.**



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
 REGION 1  
 1 CONGRESS STREET, SUITE 1100  
 BOSTON, MASSACHUSETTS 02114-2023

DEC 20 2007

**VIA FACSIMILE AND FIRST CLASS MAIL**

U.S. Environmental Protection Agency  
 Environmental Appeals Board (MC1103B)  
 Attn: Eurika Durr, Clerk of the Board  
 Ariel Rios Building  
 1200 Pennsylvania Avenue, NW  
 Washington, DC 20460-0001

ENVIR. APPEALS BOARD

2007 DEC 20 AM 11: 27

RECEIVED  
 U.S. E.P.A.

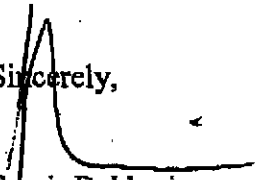
**Re: Joint Status Report**  
**Town of North Attleborough Wastewater Treatment Facility**  
**NPDES Appeal Nos. 07-02 and 07-04**  
**NPDES Permit No. MA0101036**

Dear Ms. Durr:

In connection with the above-referenced matter, please find enclosed for docketing and review by the EPA Environmental Appeals Board an originally executed copy of a Joint Status Report and a Certificate of Service. The Region has provided five additional paper copies.

If you should have any questions, please do not hesitate to contact me at 617-918-1095.

Sincerely,

  
 Samir Bukhari  
 Assistant Regional Counsel  
 Office of Regional Counsel  
 US EPA-Region 1

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

RECEIVED  
U.S. E.P.A.

2007 DEC 20 AM 11:27

ENVIRONMENTAL APPEALS BOARD

_____ )	
In the Matter of: )	
)	
Town of North Attleborough )	NPDES Appeal No. 07-02
Wastewater Treatment Facility )	NPDES Appeal No. 07-04
)	
NPDES Permit No. MA0101036 )	
_____ )	

**JOINT STATUS REPORT**

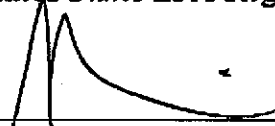
In its Third Order Staying Proceedings (September 28, 2007), the United States Environmental Protection Agency ("EPA") Environmental Appeals Board directed EPA-Region 1 ("Region") to file a status report on the progress of settlement discussions among the Region, the Town of North Attleborough ("Town") and the Rhode Island Department of Environmental Management ("RI-DEM") in the above-captioned matter no later than December 21, 2007.

On December 19, 2007, the Region received from the Town's engineering consultants a detailed plan to implement permit limits for total phosphorus and total nitrogen which, contingent upon negotiation of a reasonable compliance schedule, have been agreed to by the parties. The Region has contacted the Town to obtain clarification on several technical aspects of the plan and to better understand the basis for certain assumptions underlying it. EPA has also requested a joint meeting with the Town and RI-DEM, which it believes will be helpful in finally resolving any outstanding issues. The parties at this point believe a negotiated resolution of this appeal remains reasonably likely.

Counsel for the Town and RI-DEM have assented to this status report.

Respectfully submitted,

United States EPA-Region 1

A handwritten signature in black ink, appearing to read 'Samir Bukhari', written over a horizontal line.

Samir Bukhari, Esq.  
Assistant Regional Counsel  
US EPA Region 1 (RAA)  
One Congress St. - Suite 1100  
Boston, MA 02114-2023  
Phone: (617) 918-1095  
Fax: (617) 918-0095

Dated: December 20, 2007

In the Matter of:  
Town of North Attleborough Wastewater treatment Facility  
NPDES Appeals Nos. 07-02 and 07-04

CERTIFICATE OF SERVICE

I, Samir Bukhari, hereby certify that copies of a Joint Status Report in connection with above-referenced appeals were sent on December 20, 2007, to the following persons in the manner described below:

By Facsimile  
Original by First Class Mail

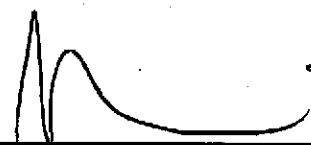
Eurika Durr, Clerk of the Board  
Environmental Appeals Board (MC 1103B),  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460-0001

Copy by First Class Mail

Jeffrey T. Blake, Esq.  
Kopelman and Paige, P.C.  
101 Arch Street  
12<sup>th</sup> Floor  
Boston, MA 02110-1109

Susan B. Wilson, Esq.  
Rhode Island Department of Environmental  
Management  
Office of Legal Services  
235 Promenade Street, 4<sup>th</sup> Floor  
Providence, RI 02908-5767

Dated: December 20, 2007



---

Samir Bukhari, Esq.  
Office of Regional Counsel  
US EPA Region 1 (RAA)  
One Congress St. - Suite 1100  
Boston, MA 02114-2023  
617-918-1095