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**FACSIMILE TRANSMITTAL FORM**

**Date:** October 29, 2008

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**Number of Pages to Follow:** 3

**Client #:** 0408

**Matter #:** 001

**MESSAGE:** Please see attached Motion for Extension for time to file petitions and prepare brief in the case of Water Quality Certification, NPDES Permit MA 0102253, Massachusetts Correctional Institute-Norfolk Water Pollution Control Facility. Thank you.

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Environmental Appeals Board  
United States Environmental Protection Agency

In the Matter of: )  
Water Quality Certification, )  
NPDES Permit MA 0102253, )  
Massachusetts Correctional Institute- )  
Norfolk Water Pollution Control )  
Facility )  
\_\_\_\_\_ )

DIVIR. APPEALS BOARD

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**MOTION FOR EXTENSION TO FILE PETITION FOR APPEAL AND  
FILE BRIEF**

Now comes Attorney Susan A. Bernstein, representing the Massachusetts Correctional Institute-Norfolk Water Pollution Control Facility in its appeal of conditions in its Water Quality Certification, NPDES Permit MA 0102253.

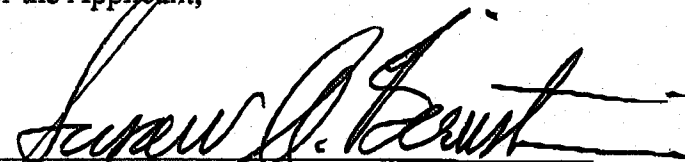
Attorney Bernstein has been hired today to represent Massachusetts Correctional Institute-Norfolk Water Pollution Control Facility in its appeal of conditions in its Water Quality Certification, NPDES Permit MA 0102253. The Permit was received on September 30, 2008 by the Massachusetts Correctional Institute-Norfolk Water Pollution Control Facility, making tomorrow the deadline to appeal. Therefore, in order to properly represent the Applicant and adequately prepare the appropriate appeal filings, an extension is requested.

Therefore, Attorney Bernstein is respectfully requesting that a thirty (30) day extension be issued in order for there to be sufficient time for the appeal petition (until December 1, 2008). In addition, Attorney Bernstein is requesting an additional 15 days for submission of the brief

(until December 16, 2008).

Respectfully submitted,

For the Applicant,



Date: October 29, 2008

Susan A. Bernstein, Esq.

B.B.O. #556574

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0400101Motion to Extend Filing»

**COMMITMENT & INTEGRITY  
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October 29, 2008

Susan A. Bernstein  
Attorney at Law  
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Waltham, MA 02451-1476

Re: Legal Services regarding Appeal of NPDES Discharge Permit  
DOC MCI Norfolk Water Pollution Control Facility  
NPDES Application No. MA0102253

Dear Ms. Bernstein:

This letter serves as authorization to provide legal services in the matter of an appeal of the NPDES Discharge Permit recently issued by the U.S. Environmental Protection Agency for the Massachusetts Department of Correction MCI Norfolk Water Pollution Control Facility.

As of this date, you are being engaged to review the Permit and to prepare a request for an extension of time to submit an appeal beyond the deadline for filing on October 30, 2008, and to prepare such appeal within the existing or potentially later time period.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,  
WOODARD & CURRAN INC.

Craig Blake, P.E., LSP  
Vice President

Cc: Jeffrey Quick, Director, Massachusetts Department of Correction  
John O'Donnell, Deputy Commissioner, Massachusetts Division of Capital Asset Management

**CERTIFICATE OF SERVICE**

In the Matter of: Massachusetts Correctional Institute-Norfolk Water Pollution Control Facility in its appeal of conditions in its Water Quality Certification, NPDES Permit MA 0102253

I hereby certify that I have served a copy of the foregoing to all parties or their counsel of record this day by mail according to the following service list.

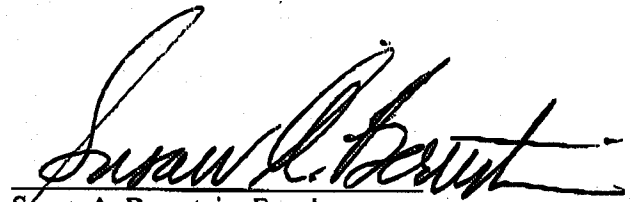
Roger Janson, Chief  
NPDES Municipal Permits Branch  
Office of Ecosystem Protection  
USEPA-Region 1  
1 Congress Street, Suite 1100  
Boston, MA 02114-2023

Massachusetts Department of Environmental Protection  
Office of General Counsel  
One Winter Street, 3<sup>rd</sup> Floor  
Boston, MA 02108

Glenn Hass, Director  
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Massachusetts Department of Environmental Protection  
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Docket Clerk  
DEP-Office of Administrative Appeals  
One Winter Street  
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Date: October 29, 2008



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