



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Region 1 – New England  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912**

**VIA ELECTRONIC FILING**

August 16, 2018

Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

RE: In re: Keolis Commuter Services; NPDES Permit No. MA0028941

Dear Ms. Durr:

Please find the attached Joint Acknowledgement of Consent to Service by Electronic Mail and accompanying Certificate of Service regarding NPDES Appeal No. 18-03.

Thank you for your assistance.

Sincerely,

/s/ Joshua Secunda

Joshua Secunda  
US EPA – Region 1  
Office of Regional Counsel  
5 Post Office Square  
Mail Code: ORC 04-6  
Boston, MA 02109-3912  
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**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

_____	)	
In re:	)	
KEOLIS COMMUTER SERVICES, LLC,	)	NPDES Appeal No. 18-03
North Station Railroad Terminal	)	
	)	
NPDES Permit No. MA0028941	)	

**JOINT ACKNOWLEDGEMENT OF CONSENT TO SERVICE BY  
ELECTRONIC MAIL**

On June 15, 2018, Region 1 of the United States Environmental Protection Agency (“Region 1”) and the Massachusetts Department of Environmental Protection (“MassDEP”) jointly issued National Pollutant Discharge Elimination System Permit No. MA0028941 (“NPDES Permit”) to Keolis Commuter Services, LLC (“Keolis”), Massachusetts Bay Transportation Authority, and Delaware North Corporation, as co-permittees. On July 18, 2018, Keolis filed a Petition for Review (“Petition”) with the Environmental Appeals Board (“Board”) requesting review of one (1) condition of the NPDES Permit. On August 13, 2018, the parties filed a joint motion requesting a 90-day stay to provide time to explore settlement. The Board granted the motion on August 15, 2018.

The parties hereby provide notice to the Board that they have conferred regarding the service of filings in this matter and that each consent to service by electronic mail as herein provided. *See* 40 CFR § 124.19(i)(3)(ii). Service on Keolis may be made by electronic mail to Eric L. Klein at the following electronic address: [eklein@bdlaw.com](mailto:eklein@bdlaw.com).

Service on Region 1 may be made by electronic mail to Joshua Secunda at the following electronic address: [secunda.josh@epa.gov](mailto:secunda.josh@epa.gov).

Finally, please be advised that Region 1 is coordinating on this matter with Christopher Creech of EPA's Office of General Counsel. His email address is [Creech.Christopher@epa.gov](mailto:Creech.Christopher@epa.gov). His telephone number is 202/564-2286.

Dated: August 16, 2018

Respectfully submitted,

U.S. EPA – Region 1

Keolis Commuter Services, LLC

/s/Joshua Secunda  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Post Office Square, Suite 100  
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/s/ Joshua Secunda for Eric L. Klein, Esq.  
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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Joint Acknowledgement of Consent to Service by Electronic Mail regarding *In re: Keolis Commuter Services, LLC* was sent to the following persons in the manner indicated:

By Electronic Filing:

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

By electronic mail by agreement of the parties:

Eric L. Klein  
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Wellesley, MA 02481  
(781) 416-5700  
E-mail: [eklein@bdlaw.com](mailto:eklein@bdlaw.com)

Dated: August 16, 2018

/s/s Joshua Secunda  
Joshua Secunda  
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U.S. Environmental Protection Agency  
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