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ENVIR. APPEALS BOARD

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To: Eurika Durr, Clerk of the Board

Fax: (202) 233-0121

From: Joshua Caditz, Assistant Regional Counsel
US EPA Region 1

Date: February 14, 2007

Number of pages including cover: 5

Return Fax: 617-918-0087



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I**

**ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023**

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ENVIR. APPEALS BOARD

BY FACSIMILE

February 14, 2007

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

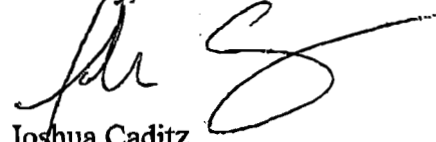
Re: Town of Northbridge Wastewater Treatment Plant
Appeal No. NPDES 06-11

Dear Ms. Durr:

Enclosed please find a facsimile of the following Motion to Extend Stay of Proceedings in the above-captioned matter, as well as a certificate of service. I am also mailing you the original motion and submitting an electronic copy.

Please contact me at 617-918-1787, or by fax at 617-918-0087 or by electronic mail at Caditz.Joshua@epamail.epa.gov, if you need to discuss this filing.

Sincerely,


Joshua Caditz
Assistant Regional Counsel

cc: Mr. Jeffrey T. Blake, Esq., Kopelman and Paige

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

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ENVIR. APPEALS BOARD

In the Matter of:)
)
Town of Northbridge Wastewater)
Treatment Plant)
)
NPDES Permit MA0100722)
_____)

Appeal No. NPDES 06-11

MOTION TO EXTEND STAY OF PROCEEDINGS

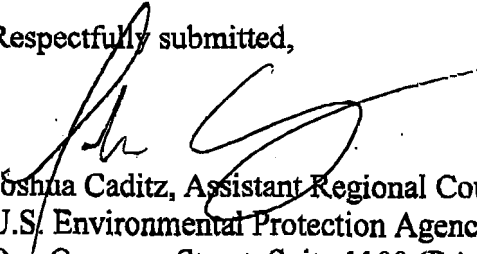
The New England Regional Office of the U.S. Environmental Protection Agency (“Region”); with the consent of counsel for the Town of Northbridge (“Town”), respectfully submits to the Environmental Appeals Board (“Board”) this Motion to Extend Stay of Proceedings in the above-referenced appeal until May 3, 2007.

On September 13, 2006, the Region reissued NPDES Permit, No. MA0100722 (“Permit”), to the Town, authorizing wastewater discharges from the Northbridge Wastewater Treatment Plant into an unnamed tributary to the Blackstone River and establishing effluent limitations, monitoring requirements and other conditions for such discharges. On October 16, 2006, the Town filed a petition for review by the Board contesting the Permit’s phosphorus limit of 0.2 mg/l from April 1 – October 31, the phosphorus limit of 1.0 mg/l from November 1 – March 31, and the fecal coliform limits for the period of November 1 – March 31. The Board received the petition on October 16, 2006, and directed the Region to respond to the petition no later than December 4, 2006.

On November 29, 2006, the Board granted a stay of the proceedings until March 6, 2007, to enable the parties to negotiate a settlement of the issues raised in the petition for review. The Board also directed the parties to submit, by January 10, 2007, a status report on the progress of settlement discussions. On January 10, 2007, the Region filed an assented-to status report with the Board. On January 30, 2007, the Town submitted a report to the Region proposing a full-scale testing program to evaluate several alternatives for meeting the phosphorus permit limits. The parties are currently discussing this proposal and the possible scope of an Administrative Order with a compliance schedule that could resolve the appeal.

The parties continue to believe that resolution of some or all of the issues in this appeal is possible. In an effort to conserve resources and promote judicial economy, the Region requests that these proceedings be stayed until May 3, 2007. On or as soon as possible before that date, the parties will submit a status report to advise the Board of the status of settlement discussions and whether it is appropriate to continue the stay, dismiss the petition, or establish a schedule for the Region's response to the petition.

Respectfully submitted,



Joshua Caditz, Assistant Regional Counsel
U.S. Environmental Protection Agency Region 1
One Congress Street, Suite 1100 (RAA)
Boston, MA 02114
617-918-1787
Fax: 617-918-0087

Date: February 14, 2007

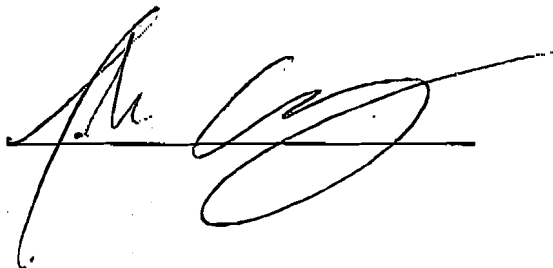
In the Matter of: Town of Northbridge Wastewater Treatment Plant
 Appeal No. NPDES 06-11

CERTIFICATE OF SERVICE

I, Joshua Caditz, hereby certify that one original copy of the foregoing Motion to Extend Stay of Proceedings was mailed by First Class Mail on this 14th day of February, 2007 to the Environmental Appeals Board 1103B, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460-0001, and that a copy of the foregoing was sent by First Class Mail, postage prepaid, to the following person:

Mr. Jeffrey T. Blake, Esq.
Kopelman and Paige, P.C.
101 Arch Street
Boston, MA 02110

Dated: February 14, 2007

A handwritten signature in black ink, appearing to read 'J. Caditz', is written over a horizontal line. The signature is stylized and cursive.