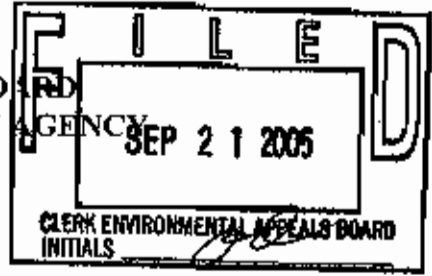


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BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



ENVIRONMENTAL APPEALS BOARD
In re:
Brockton Advanced Water Reclamation Facility
NPDES Permit No. MA0101010

NPDES Appeal No. 05-04

**ORDER GRANTING SECOND MOTION
FOR STAY OF PROCEEDINGS**

On September 19, 2005, Region I of the U.S. Environmental Protection Agency filed a status report and motion to extend the stay of the proceedings in the above-captioned matter, which currently extends through September 18, 2005. Counsel for Region I reports that petitioners Timothy A. Watts and Douglas H. Watts assent to the status report and motion. In its motion, Region I reports that it is actively engaged in settlement discussions with petitioners and continues to believe there is a substantial likelihood the issues raised in the petition may be resolved without resort to litigation.

At present, the parties are exploring the possibility of establishing an in-stream water quality monitoring program for the Salisbury Plain and Taunton Rivers to assess the impacts of the wastewater facility's discharges on receiving waters. Petitioners have agreed to withdraw their petition if a monitoring program is adopted and if the permittee (the City of Brockton, Massachusetts) commits to utilizing ultraviolet light rather than chlorine to treat the facility's effluent. Region I asserts that further time is needed to resolve these issues to the satisfaction of the petitioners, the permittee, and the Region and therefore seeks an extension in the stay of the permit appeal proceedings before the Environmental Appeals Board until Tuesday, November 1, 2005.

For good cause shown, the Region's motion is hereby **GRANTED**. The parties are hereby directed to provide the Board with a report, on or before **Tuesday, November 1, 2005**, describing the status of settlement negotiations in this case and suggesting a future course of action.

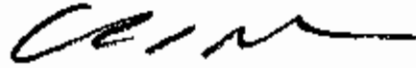
So ordered.

Dated: _____

9/21/05

ENVIRONMENTAL APPEALS BOARD

By: _____



Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Second Motion for Stay of Proceedings** in the matter of Brockton Advanced Water Reclamation Facility, NPDES Appeal No. 05-04, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

Timothy A. Watts
633 Wareham Street
Middleboro, Massachusetts 02346
telephone: (508) 946-6191

Douglas H. Watts
38 Northern Avenue
Augusta, Maine 04330
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By Facsimile and EPA Pouch Mail:

Samir Bukhari, Attorney Advisor
U.S. Environmental Protection Agency, Region I
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Boston, Massachusetts 02114-2023
telephone: (617) 918-1095
facsimile: (617) 918-0095

Dated: SEP 21 2005


Annette Duncan
Secretary

