

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
ENVIRONMENTAL APPEALS BOARD

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In re: )  
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Invensys Systems, Inc. )  
) NPDES Appeal No. 15-10  
)  
NPDES Permit No. MA0004120 )  
)  
)  
\_\_\_\_\_)

**Joint Motion for Stay of Proceedings and Extension of Time**

Pursuant to 40 C.F.R. 124.19(g), the Environmental Protection Agency, Region 1 (EPA, or the Region), files this Joint Motion for Stay of Proceedings and Extension of Time, seeking a stay of proceedings and 60-day extension of the deadline for EPA to respond to the Petition For Review filed by Invensys Systems, Inc., (“Petitioner”) on September 4, 2015. Without a stay or extension, EPA’s response to the Petition for Review would be due on October 5, 2015.

In support of this Motion, EPA states that it has been approached by Petitioner regarding potential settlement of this matter, and the parties have agreed to meet and explore the possibility of settlement. Should such discussions be productive, they could result in the resolution of issues in dispute with respect to the NPDES Permit that is the subject of this matter, and to either the voluntary withdrawal of the permit or portions of the permit by EPA pursuant to 40 C.F.R. § 124.19(j) or to a request by Petitioner for dismissal of the Petition under 40 C.F.R. § 124.19(k),

obviating the need for the Board to consider the Petition. The Parties believe that a 60-day stay or extension will allow the parties to determine whether a negotiated resolution of disputed issues may be achieved without the burden of simultaneously working on the Response to the Petition and subsequent Reply, and without involving the Board in a review of the Petition.

For the foregoing reasons, the Parties respectfully request that this Joint Motion for Stay of Proceedings and Extension of Time be granted, and that EPA's deadline for filing a Response to the Petition and a Certified Administrative Record Index be extended by 60 days, to December 4, 2015. I am authorized by counsel for Petitioner to represent that Petitioner joins EPA in this Motion.

Respectfully submitted.



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Dated: September 15, 2015

## CERTIFICATE OF SERVICE

I, Paul Schwartz, hereby certify that on September 15, 2015, I caused to be served a true and correct copy of the foregoing Opposition to Motion for Extension of Time to File Petition for Review, via the EAB's electronic filing system, and by sending a true and correct copy, via UPS Next Day Air, and e-mail, to the following:

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Dated: September 15, 2015



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