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Date: Nov. 29, 2007
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**U.S. Environmental Protection Agency
Office of Regional Counsel
One Congress Street, Suite 1100
Boston, MA 02114-2023
Phone: (617) 918-1148
Fax: (617) 918-1029**

PLEASE DELIVER TO:

**Eurika Durr
Clerk, EPA Environmental Appeals Board
(202) 233-0121**

**From: Samir Bukhari
Attorney, Office of Regional Counsel
EPA, Region 1**

Number of Pages to Follow: 4

**RE: Joint Status Report
Town of North Attleborough Wastewater Treatment Facility
NPDES Appeal Nos. 07-02 and 07-04
NPDES Permit No. MA0101036**

Original will follow via First Class Mail.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

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ENVIR. APPEALS BOARD

November 29, 2007

VIA FACSIMILE AND FIRST CLASS MAIL

U.S. Environmental Protection Agency
Environmental Appeals Board (MC1103B)
Attn: Eurika Durr, Clerk of the Board
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

**Re: Joint Status Report
Town of North Attleborough Wastewater Treatment Facility
NPDES Appeal Nos. 07-02 and 07-04
NPDES Permit No. MA0101036**

Dear Ms. Durr:

In connection with the above-referenced permit appeals, please find enclosed for docketing and review by the EPA Environmental Appeals Board an originally executed copy of a Joint Status Report and a Certificate of Service. The Region has provided five additional paper copies.

If you should have any questions, please do not hesitate to contact me at 617-918-1095.

Sincerely,

Samir Bukhari
Assistant Regional Counsel
Office of Regional Counsel
US EPA-Region 1

Enclosures

cc:

Recipients Listed on Enclosed Certificate of Service

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**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 North Attleborough)	NPDES Appeal No. 07-02
Wastewater Treatment Facility)	NPDES Appeal No. 07-04
)	
NPDES Permit No. MA0101036)	
_____)	

JOINT STATUS REPORT

In its Third Order Staying Proceedings (September 28, 2007), the United States Environmental Protection Agency ("EPA") Environmental Appeals Board ("EAB" or "Board") directed EPA-Region 1 ("Region") to file a status report on the progress of settlement discussions among the Region, the Town of North Attleborough ("Town") and the Rhode Island Department of Environmental Management ("RI-DEM") in the above-captioned matter no later than November 30, 2007.

In their last filing with the Board, the parties stated that they had reached an agreement to resolve the contested conditions of the permit, subject to the parties negotiating the terms of a reasonable, mutually acceptable administrative compliance order with respect to the nitrogen and phosphorus limits in the permit. The Region also indicated that it had issued a draft permit modification with a new, more stringent phosphorus limit to partially implement the settlement. See Joint Status Report (October 30, 2007). The comment period on the draft permit modification closed on November 17, 2007. Comments were received from the Town. After

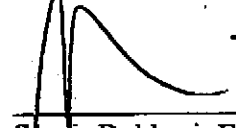
considering such comments and preparing a response, the Region expects to expeditiously issue a final permit and, after confirming no appeals have been filed, the parties expect to jointly motion to dismiss the petitions for review now pending before the Board.

The Region and the Town also continue productive discussions over the terms of a reasonable compliance schedule. The Region met with Town officials and the Town's engineering consultants on October 16, 2007. The Town expects to submit to the Region a proposed compliance schedule reflecting input from this meeting within the next ten days.

Counsel for the Town and RI-DEM have assented to this status report.

Respectfully submitted,

United States EPA-Region 1



Samir Bukhari, Esq.
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Phone: (617) 918-1095
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Dated: November 29, 2007