

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 )  
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**Joint Supplemental Status Report**

Pursuant to 40 C.F.R. 124.19(g), the Environmental Protection Agency, Region 1 (EPA, or the Region), files this Joint Supplemental Status Report. On January 4, 2016, EPA filed a “Status Report and Third Joint Motion for Stay of Proceedings and Extension of Time” in an attempt to comply with the Board’s November 5, 2015, Order granting the parties’ request for a second 60-day stay to allow the parties to pursue settlement discussions. As pointed out by the Board in its Order Requiring Supplemental Status Report dated January 7, 2016, however, the parties’ January 4, 2016 Status Report, which was prepared by EPA, did not include required information regarding the parties’ plan and timeline for resolving any outstanding issues, as required by the Board’s previous Order. Accordingly, EPA files this Supplemental Status Report to provide the required information that was omitted from the Status Report

As stated in the Status Report, Invensys is presently reviewing a draft Administrative Order on Consent that, if further negotiations are successful, will become a basis for settlement of this matter. Invensys has indicated to EPA that it expects that it will be able to provide detailed comments on the draft Administrative Order on Consent to EPA no later than January

15, 2016. The parties are hopeful that, after EPA receives Invensys' comments, completion of an Administrative Order on Consent that is acceptable to both parties is likely to be achieved during the additional 60-day stay that is requested in the Status Report, or shortly thereafter. The parties believe that additional negotiations can be accomplished through telephone calls and exchanges of written comments on settlement documents because there is substantial agreement about the actions that will be undertaken at the facility by Invensys.

For the foregoing reasons, the parties respectfully request that the Second 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, until April 4, 2016. I am authorized by counsel for Petitioner to represent that Petitioner joins EPA in the submittal of this Supplemental Status Report.

Respectfully submitted,



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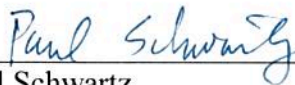
Dated: January 8, 2016

## CERTIFICATE OF SERVICE

I, Paul Schwartz, hereby certify that on January 8, 2016, 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: January 8, 2016

  
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