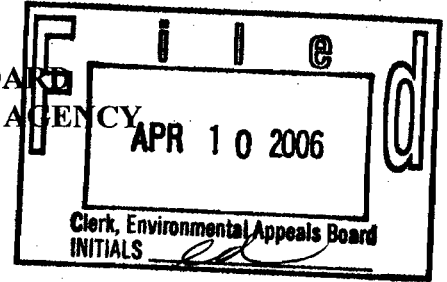


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BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

ENVIR. APPEALS BOARD



In re:)
)
)
Brockton Advanced Water Reclamation Facility) NPDES Appeal No. 05-04
)
)
NPDES Permit No. MA-0101010)
)
_____)

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

On April 6, 2006, 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 runs through April 10, 2006. In its motion, Region I reports that the parties have successfully concluded settlement discussions and resolved all issues raised in the pending petition for review.

The Region notes that the City of Brockton has agreed to conduct a water quality assessment and install ultraviolet disinfection technology at its wastewater treatment facility. The Region explains that this agreement will be memorialized in a consent decree that currently is being negotiated to resolve an ongoing enforcement proceeding. The parties are now waiting for the consent decree to be finally negotiated, lodged, and entered in federal district court, at which point they will jointly move to dismiss the pending appeal. The Region estimates that it will take 130 to 160 days (approximately) to achieve entry of the consent decree in federal court and asks that the pending permit appeal be stayed pending that entry.

For good cause shown, the Region's motion is hereby **GRANTED**. The parties are directed to provide the Board with a status report on or before **Friday, August 18, 2006**.

So ordered.

Dated: APR 10 2006

ENVIRONMENTAL APPEALS BOARD

By: Scott C. Fulton

Scott C. Fulton
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Fifth 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:

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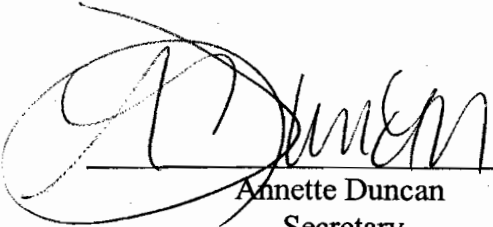
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Dated: APR 11 2006


Annette Duncan
Secretary

