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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
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BOSTON, MASSACHUSETTS 02114-2023

ENVIR. APPEALS BOARD

BY FAX

March 30, 2006

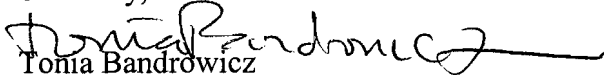
Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
Ariel Rios Building,
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: City of Newburyport Wastewater Treatment Facility
NPDES Appeal No. 04-06

Dear Ms. Durr:

Enclosed please find an original and five copies of the Status Report Required by the Environmental Appeals Board's January 19, 2006 Order.

Sincerely,


Tonia Bandrowicz
Senior Enforcement Counsel

Enclosure

cc: Barry P. Fogel, Esq., City of Newburyport
Maria R. Eigerman, IFG
David McFarlane, IFG
John Pike, Esq., IFG

by LAN: Ann Williams, EPA
Brian Pitt, EPA
Michele Barden, EPA

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

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ENVIR. APPEALS BOARD

_____)
In the Matter of:)
)
City of Newburyport, Wastewater)
Treatment Facility) NPDES Appeal Nos. 04-05 and 04-06
)
Permit Number: MA0101427)
_____)

**STATUS REPORT REQUIRED BY
EAB JANUARY 19, 2006 ORDER**

On January 19, 2006, the Environmental Appeals Board (the "Board") issued an Order Extending the Stay (the "Order") in this matter until August 31, 2006 so as to provide the parties sufficient time to file a Settlement Agreement. The Order also required the U.S. Environmental Protection Agency, Region 1 (the "Region") to file status reports with the Board by April 3, 2006 and June 30, 2006.

The Region is filing this status report, with the City of Newburyport's concurrence, to inform the Board that the parties are in the process of having the Settlement Agreement approved and signed by the appropriate officials and anticipate filing a fully executed document within the next 60 days.

Respectfully submitted,

United States EPA/Region I



Tonia Bandrowicz
Office of Regional Counsel
US EPA Region 1 (SEL)
One Congress St. - Suite 1100
Boston, MA 02114-2023
Phone: (617) 918-1734
Fax: (617) 918-1809

Dated: 3/30, 2006

In the Matter of:
City of Newburyport Wastewater Treatment Facility
NPDES Appeal No. 04-05

CERTIFICATE OF SERVICE

I, Tonia Bandrowicz, hereby certify that one original and five copies of the foregoing Status Report Required by EAB January 19, 2006 Order were mailed by First Class Mail on this 30th day of March, 2006 to the Environmental Appeals Board 1103B, Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, and that a copy of the foregoing was sent by First Class Mail, postage prepaid, to the following person:

Barry P. Fogel, Esq.
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Dated: 3/30, 2006