



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Region 1 – New England**  
**5 Post Office Square, Suite 100**  
**Boston, MA 02109-3912**

**VIA ELECTRONIC FILING**

June 1, 2017

Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

RE: In re Town of Marion Wastewater Treatment Plant  
NPDES Permit No. MA0100030; NPDES Appeal No. 17-02

Dear Ms. Durr:

Please find the Joint Notice of Intent to Participate in the Alternative Dispute Resolution Program and accompanying Certificate of Service, in connection with NPDES Appeal No. 17-02.

Thank you for your assistance with this matter.

Sincerely,

/s/ Michael Curley  
Michael Curley  
US EPA – Region 1  
Office of Regional Counsel  
5 Post Office Square  
Mail Code: ORA 17-1  
Boston, MA 02109-3912  
Tel: (617) 918-1623  
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**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

\_\_\_\_\_ )  
In the Matter of: )  
 )  
Town of Marion )  
Wastewater Treatment Plant )  
 )  
NPDES Appeal No. 17-02 )  
NPDES Permit No. MA0100030 )  
\_\_\_\_\_ )

**JOINT NOTICE OF INTENT TO PARTICIPATE IN THE ALTERNATIVE DISPUTE  
RESOLUTION PROGRAM**

On April 13, 2017, the U.S. Environmental Protection Agency Region 1 issued NPDES Permit No. MA0100030 for the Marion Water Pollution Control Facility to the Town of Marion, Massachusetts. On May 15, 2017, the Town of Marion filed a Petition for Review of the Permit with the Environmental Appeals Board. On May 18, 2017, the Board sent letters to Region 1 and the Town informing the parties of the Board’s Alternative Dispute Resolution (“ADR”) Program. Region 1 and Marion hereby notify the Board of our election to participate in the Board’s ADR Program and respectfully request that the Board assign a Settlement Judge.

/s/ Michael Curley  
Michael Curley, Esq.  
Assistant Regional Counsel  
US EPA Region 1  
5 Post Office Square  
Boston, MA 02109

/s/ Michael Curley for Matthew Connolly  
Matthew J. Connolly, Esq.  
Nutter McClennen & Fish, LLP  
Seaport West, 155 Seaport Blvd.  
Boston, MA 02210

Date: June 1, 2017

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Joint Notice of Intent to Participate in the Alternative Dispute Resolution Program, in the matter of Town of Marion Wastewater Treatment Plant, NPDES Appeal No. 17-02, were served on the following persons in the manner indicated:

By Electronic Filing and Overnight Mail:

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

By Electronic Mail and Overnight Mail:

Matthew Connolly, Esq.  
Nutter McClennen & Fish, LLP  
Seaport West  
155 Seaport Boulevard  
Boston, MA 02210  
mconnolly@nutter.com

Dated: June 1, 2017

/s/ Michael Curley

Michael Curley  
Assistant Regional Counsel  
US EPA Region 1  
5 Post Office Square  
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