



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

March 20, 2009

By Federal Express and Electronic Submission

U.S. Environmental Protection Agency
Eurika Durr, Clerk of the Board
Environmental Appeals Board
1341 G Street, N.W., Suite 600
Washington, D.C. 20005

Re: *In re: General Electric Company*, NPDES Permit No. MA0003891, Appeal No.
NPDES 08-25

Dear Ms. Durr:

Please find enclosed for docketing an originally executed Joint Status Report in connection with the above-referenced permit appeal.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Samir Bukhari", written over a horizontal line.

Samir Bukhari
Assistant Regional Counsel
Office of Regional Counsel
U.S. EPA - Region 1
1 Congress Street, Suite 1100 (RAA)
Boston, MA 02114-2023
Tel: (617) 918-1095
Fax: (617) 918-0095

cc: Recipients Listed on Certificate of Service

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

_____)	
In re:)	
General Electric Company)	NPDES Appeal No. 08-25
NPDES Permit No. MA0003891)	
_____)	

JOINT STATUS REPORT

Region 1 of the United States Environmental Protection Agency (“Region”) and the General Electric Company (“GE”) respectfully submit this joint status report in accordance with the U.S. EPA Environmental Appeals Board’s (“Board’s”) Order Extending Deadline to File Region’s Response (November 25, 2008) (“Order”).

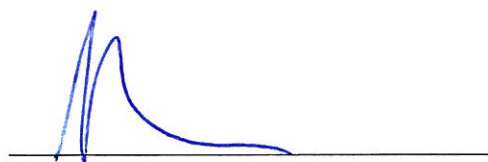
BACKGROUND

The Region reissued NPDES Permit No. MA0003891 to GE on October 3, 2008. On November 3, 2008, GE timely filed a petition for review with the Board contesting certain conditions of the permit. By letter dated November 6, 2008, the Board directed the Region to prepare a response that addresses GE’s contentions and whether GE has satisfied the requirements for obtaining review. Subsequently, the parties jointly moved the Board to extend the deadline for the Region to file its response to GE’s petition in the above-captioned matter until April 23, 2009, to allow the parties to explore the viability of settlement. The Board granted the motion and ordered the parties to file a status report no later than March 23, 2009, to advise the Board whether to further extend the deadline, to establish a revised briefing schedule or to take other appropriate action. *See* Order at 1-2.

Since receipt of the Board's Order, technical and legal representatives from the Region, GE and the Massachusetts Department of Environmental Protection have been engaged in ongoing settlement discussions, punctuated by two rounds of in-person negotiations in Springfield, Massachusetts, the latest occurring on March 18, 2009. These discussions have been productive. They have resulted in substantial progress toward a fuller understanding of the parties' respective positions and toward developing a possible framework to resolve the NPDES appeal. Without diminishing the complexity and sensitivity of the issues facing the parties, the Region and GE are optimistic that this dispute can be settled.

REQUESTED RELIEF AND GROUNDS FOR SUCH RELIEF

At this time, the parties request that the Board take no action with respect to the existing April 23, 2009, deadline, as the parties are moving forward to resolve this matter with dispatch. If an additional stay is required for the parties to fully conclude their negotiations, the parties shall request a short additional stay, or request other relief as appropriate.

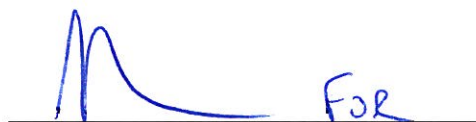


**U.S. Environmental Protection Agency,
Region 1**

By its counsel,

Samir Bukhari
Assistant Regional Counsel
Office of Regional Counsel
U.S. EPA-Region 1 (RAA)
One Congress Street, Suite 1100

Respectfully submitted,



General Electric Company

By its counsel,

Brooks M. Smith
Hunton & Williams LLP
951 East Byrd Street
Richmond, Virginia 23219
Phone: (804) 787-8086

Boston, Massachusetts 02116
Phone: (617) 918-1095
Fax: (617) 918-0095

Fax: (804) 788-8218

March 20, 2009

March 20, 2009

In re: General Electric Company
NPDES Permit No. MA0003891
NPDES Appeal No. 08-25

CERTIFICATE OF SERVICE

I, Samir Bukhari, hereby certify that on this 20th day of March, 2009, I served a true copy of the Joint Status Report on the following parties in the manner indicated:

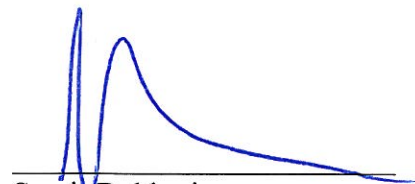
Via Electronic Mail and First Class U.S. Mail

Brooks M. Smith
Hunton & Williams LLP
951 East Byrd Street
Richmond, Virginia 23219
Phone: (804) 787-8086
Fax: (804) 788-8218

Jane Rothchild
Regional Counsel
Western Region District
MassDEP
436 Dwight Street
Springfield, MA 01103

Via Electronic Filing and Federal Express

U.S. Environmental Protection Agency
Eurika Durr, Clerk of the Board
Environmental Appeals Board
1341 G Street, N.W., Suite 600
Washington, D.C. 20005



Samir Bukhari
Assistant Regional Counsel
Office of Regional Counsel
U.S. EPA - Region 1
1 Congress Street, Suite 1100 (RAA)
Boston, MA 02114-2023
Tel: (617) 918-1095
Fax: (617) 918-0095