

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

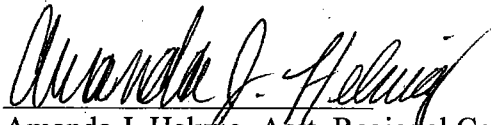
In the Matter of:)	
)	
City of Attleboro, Massachusetts)	NPDES Appeal Nos. 08-08, 08-09
Department of Wastewater)	
)	
NPDES Permit No. MA0100595)	

NOTICE REGARDING SUR-REPLY

On September 17, 2008, the Environmental Appeals Board (“Board”) issued orders allowing Region 1 of the United States Environmental Protection Agency (“Region”) to file by September 30, 2008 a sur-reply brief to the City of Attleboro’s Reply to Region 1’s Response to Petition for Review and the Reply Brief of the Rhode Island Department of Environmental Management. The Region has reviewed the petitioners’ most recent submissions and has determined that the Region’s original Memorandum in Opposition to the Petitions for Review sufficiently addresses the issues and arguments presented therein, and that a sur-reply brief is unnecessary.

Respectfully submitted by EPA-Region 1,

Dated: September 26, 2008


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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Notice Regarding Sur-Reply, in connection with NPDES Appeal Nos. 08-08, 08-09 were sent to the following persons in the manner indicated:

By Electronic Submission and First Class U.S. Mail:

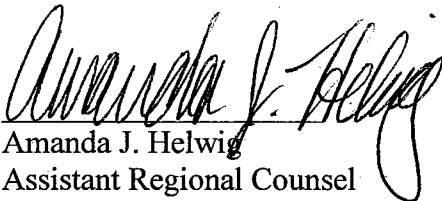
U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board (MC 1103B)
Ariel Rios Building
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Washington, D.C. 20460-0001

By First Class U.S. Mail:

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