

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

In the Matter of:)
)
Town of Northbridge Wastewater)
Treatment Plant)
)
NPDES Permit MA0100722)
_____)

Appeal No. NPDES 06-11

MOTION TO EXTEND STAY OF PROCEEDINGS

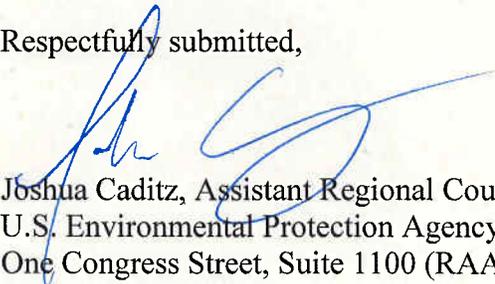
The New England Regional Office of the U.S. Environmental Protection Agency (“Region”); with the consent of counsel for the Town of Northbridge (“Town”), respectfully submits to the Environmental Appeals Board (“Board”) this Motion to Extend Stay of Proceedings in the above-referenced appeal until May 3, 2007.

On September 13, 2006, the Region reissued NPDES Permit, No. MA0100722 (“Permit”), to the Town, authorizing wastewater discharges from the Northbridge Wastewater Treatment Plant into an unnamed tributary to the Blackstone River and establishing effluent limitations, monitoring requirements and other conditions for such discharges. On October 16, 2006, the Town filed a petition for review by the Board contesting the Permit’s phosphorus limit of 0.2 mg/l from April 1 – October 31, the phosphorus limit of 1.0 mg/l from November 1 – March 31, and the fecal coliform limits for the period of November 1 – March 31. The Board received the petition on October 16, 2006, and directed the Region to respond to the petition no later than December 4, 2006.

On November 29, 2006, the Board granted a stay of the proceedings until March 6, 2007, to enable the parties to negotiate a settlement of the issues raised in the petition for review. The Board also directed the parties to submit, by January 10, 2007, a status report on the progress of settlement discussions. On January 10, 2007, the Region filed an assented-to status report with the Board. On January 30, 2007, the Town submitted a report to the Region proposing a full-scale testing program to evaluate several alternatives for meeting the phosphorus permit limits. The parties are currently discussing this proposal and the possible scope of an Administrative Order with a compliance schedule that could resolve the appeal.

The parties continue to believe that resolution of some or all of the issues in this appeal is possible. In an effort to conserve resources and promote judicial economy, the Region requests that these proceedings be stayed until May 3, 2007. On or as soon as possible before that date, the parties will submit a status report to advise the Board of the status of settlement discussions and whether it is appropriate to continue the stay, dismiss the petition, or establish a schedule for the Region's response to the petition.

Respectfully submitted,



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