



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

RECEIVED
U.S. E.P.A.

2006 NOV 24 PM 2:23

ENVIR. APPEALS BOARD

BY FACSIMILE AND BY FIRST CLASS MAIL

November 21, 2006

Eurika Durr, Clerk of the Board,
Environmental Appeals Board (MC 1103B)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Re: Town of Northbridge Wastewater Treatment Plant
Appeal No. NPDES 06-11

Dear Ms. Durr:

Please accept the following Joint Motion for Stay of the Proceedings in the above-captioned matter. I am also sending a facsimile of the original document and submitting an electronic copy. As indicated in the Certificate of Service a copy of this motion has been served on the Petitioner by fax and by first class mail

Please contact me at 617-918-1787, or by fax at 617-918-1029 or by electronic mail at Caditz.Joshua@epamail.epa.gov, if you need to discuss this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Caditz", written over a horizontal line.

Joshua Caditz
Assistant Regional Counsel

cc: Mr. Jeffrey T. Blake, Esq., Kopelman and Paige

RECEIVED
U.S. E.P.A.

2006 NOV 24 PM 2:23

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

ENVIR. APPEALS BOARD

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

Appeal No. NPDES 06-11

JOINT MOTION FOR STAY OF THE PROCEEDINGS

The New England Regional Office of the U.S. Environmental Protection Agency (“Region”) and the Town of Northbridge (“Town”), respectfully submit to the Environmental Appeals Board (“Board”) this Joint Motion for Stay of the Proceedings in the above-referenced appeal until March 6, 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.

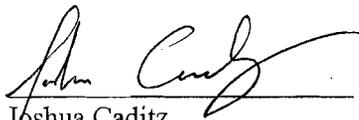
The parties believe that resolution of some or all of the issues in this appeal is possible and have agreed to enter into settlement discussions. A settlement of some or all

of the issues in the appeal will simplify or resolve the issues before the Board and thus conserve the Board's resources.

For the foregoing reasons, the Region and the Town request a stay of the proceedings before the Board in this case until March 6, 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,

United States EPA, Region I



Joshua Caditz,
Assistant Regional Counsel
US EPA Region I (RAA)
One Congress St. - Suite 1100
Boston, MA 02114-2023
Phone: (617) 918-1787
Fax: (617) 918-0787
Caditz.Joshua@epamail.epa.gov

Dated: November 21, 2006

Town of Northbridge Counsel



Jeffrey T. Blake, Esq.
Kopeland and Paige, P.C.
101 Arch Street
Boston, Ma 02110
Phone: (617) 556-0007
Fax: (617) 654-1735
JBlake@k-plaw.com

Dated: November 21, 2006

In the Matter of: Town of Northbridge Wastewater Treatment Plant
 Appeal No. NPDES 06-11

CERTIFICATE OF SERVICE

I, Sally Burt, hereby certify that one original copy of the foregoing Joint Motion was mailed by First Class Mail on this 22nd day of November, 2006 to the Environmental Appeals Board 1103B, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460-0001, and that a copy of the foregoing was sent by First Class Mail, postage prepaid, to the following person:

Mr. Jeffrey T. Blake, Esq.
Kopelman and Paige, P.C.
101 Arch Street
Boston, MA 02110

Dated:

November 22, 2006