



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

In re Massachusetts Port Authority
NPDES Permit No. MA0000787
NPDES Appeal No. 23-03

FIFTH ORDER EXTENDING STAY OF PROCEEDINGS
TO ALLOW PARTIES TO PARTICIPATE IN THE BOARD'S
ALTERNATIVE DISPUTE RESOLUTION PROGRAM

The Massachusetts Port Authority ("Massport") petitioned the Environmental Appeals Board to review certain conditions of National Pollutant Discharge Elimination System permit no. MA0000787, which the U.S. Environmental Protection Agency Region 1 issued to Massport. EPA Region 1 and Massport agreed to participate in the Board's Alternative Dispute Resolution ("ADR") program. The Board issued an order staying all proceedings to allow for the ADR process to proceed and subsequently extended the stay through June 25, 2024.

The settlement judge has notified the panel that a further extension of the stay in this proceeding beyond the expiration of the current stay on June 25, 2024 is warranted because the parties are making substantial progress towards resolution of this matter. Accordingly, all proceedings in this matter are stayed until Friday, August 9, 2024.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: June 17, 2024

By: Mary Kay Lynch
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Fifth Order Extending Stay of Proceedings to Allow Parties to Participate in the Board's Alternative Dispute Resolution Program* in the matter of Massachusetts Port Authority, NPDES Appeal No. 23-03, were sent to the following persons in the manner indicated:

**By Email:**

**For Massachusetts Port Authority:**

Colin G. Van Dyke  
Carlos Rosende  
Anderson & Kreiger LLP  
50 Milk Street, 21st Floor  
Boston, MA 02109  
(617) 621-6585  
cvandyke@andersonkreiger.com  
crosende@andersonkreiger.com

**For Co-Permittees:**

Richard S. Davis  
Beveridge & Diamond PC  
1900 N Street, Suite 100  
Washington, DC 20036  
(202) 789-6025  
rdavis@bdlaw.com

**For U.S. EPA Region 1:**

Erin Flannery-Keith  
Megan Edwards  
Attorney-Advisors  
U.S. Environmental Protection Agency  
Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109  
(617) 918-1096  
(617) 918-1542  
Flannery-Keith.Erin@epa.gov  
Edwards.Megan@epa.gov

Dated: Jun 17, 2024

*Emilio Cortes*

Emilio Cortes  
Clerk of the Board