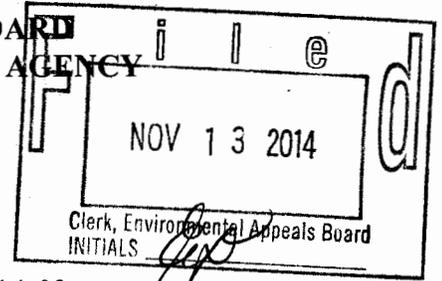


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____))
In re:))
))
General Electric Aviation))
))
NPDES Permit No. MA0003905))
_____))

NPDES Appeal No. 14-03

ORDER GRANTING MOTION TO STAY PROCEEDINGS

On September 30, 2014, Region 1 (“Region”) of the U.S. Environmental Protection Agency issued a National Pollutant Discharge Elimination System permit to General Electric Aviation (“GE”). On October 30, 2014, GE timely filed a petition for review of the Region’s permit decision that challenges several conditions of the permit. The Region’s response to the petition for review is currently due on December 3, 2014.

On November 7, 2014, the Region and GE jointly filed a motion requesting that the Environmental Appeals Board (“Board”) stay proceedings in the above-captioned matter so that the parties may pursue settlement negotiations. The parties anticipate that the Massachusetts Department of Environmental Protection (“MassDEP”) will also take part in the settlement negotiations because the Region and MassDEP jointly issued the NPDES permit, as is their typical practice. *See, e.g., In re Avon Custom Mixing Servs., Inc.*, 10 E.A.D. 700, 703 (EAB 2002). In addition, GE has concurrently filed requests for adjudicatory hearings at the state level, challenging both MassDEP’s issuance of the state’s water quality certification for the federal permit pursuant to Clean Water Act section 401, 33 U.S.C. § 1341, and the corresponding state-issued permit. Joint Motion to Stay Permit Appeal Proceedings at 2 (Nov. 7, 2014).

The parties believe that settlement negotiations may be able to resolve some or all of the issues contested in GE's petition for review, and aver that full or partial resolution of this appeal would conserve resources and promote judicial efficiency and economy. The parties request that the Board stay these proceedings through December 31, 2014, to provide adequate time to complete the negotiations.

Upon consideration, the Board grants the parties' joint motion to stay the proceedings in the above-captioned appeal until **January 2, 2015**. The Region, in consultation with GE, shall file a status report no later than **December 15, 2014**, to update the Board on the progress of the parties' efforts to resolve the challenges to the permit contained in the petition for review. The parties shall inform the Board as soon as practicable of any settlement agreement they reach. The Board will decide whether to establish a briefing schedule or take other action based on the contents of the status report.

So ordered.

Date:

November 13, 2014

By:

Kathie A. Stein

Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion to Stay Proceedings in the matter of General Electric Aviation, NPDES Appeal No. 14-03, were sent to the following persons in the manner indicated:

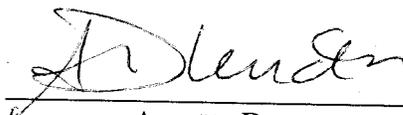
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Dated: NOV 13 2014



Annette Duncan
Secretary