

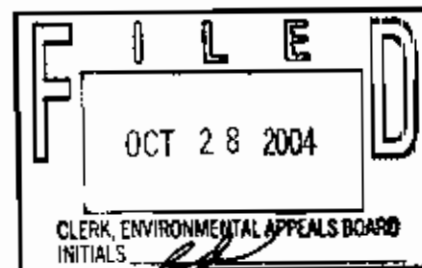
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**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

In re:

City of Newburyport, Wastewater  
Treatment Facility

NPDES Appeal No. 04-05



**ORDER EXTENDING STAY**

By joint motion filed on October 26, 2004, U.S. EPA Region I (the "Region") and the City of Newburyport, Massachusetts (the "City") seek to extend the stay of proceedings in the above-captioned matter as well as an additional extension of time for the Region to file a response to the City's Petition for Review. Second Joint Motion for Stay of Proceedings and an Extension of the Response Date ("Second Joint Motion"). According to the Second Joint Motion:

The parties have met and made considerable progress toward a resolution of Newburyport's June 3, 2004 Petition for Review. In order to have sufficient time to conclude negotiations, the Region and Newburyport request that the Board stay the proceedings and extend the date for the Region to file a response in this case \* \* \*.


Second Joint Motion at 1.

For good cause shown, the Second Joint Motion is granted. The stay in this matter, as well as the deadline for the Region to file its response to the City's petition is extended until January 14, 2004.<sup>1</sup>

So ordered.

Dated: 10/28/04

ENVIRONMENTAL APPEALS BOARD

By:   
Ronald L. McCallum  
Environmental Appeals Judge

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<sup>1</sup> Documents are "filed" with the Board on the date they are *received* in the EPA Headquarters mail room or, if hand-delivered to the Board's offices, on the date they are *received* by the Clerk of the Board. The Clerk of the Board's business hours are Monday through Friday from 8:30 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:30 p.m., excluding federal holidays. For additional information, consult the Board's website at [www.epa.gov/eab](http://www.epa.gov/eab).

## CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Extending Stay in the matter of City of Newburyport, Wastewater Treatment Facility, NDPEs Appeal No. 04-05, were sent to the following persons in the manner indicated:

First Class Mail  
Postage Prepaid:

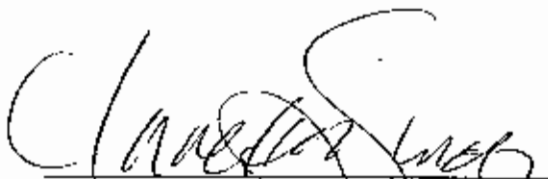
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Dated: OCT 28 2004

  
Annette Duncan  
Secretary