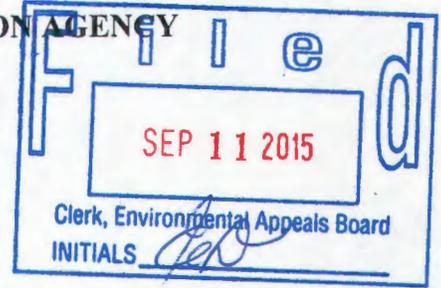


ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____))
In re:))
Town of Salisbury Sewer Commission))
NPDES Permit No. MA 0102873))
_____))

NPDES Appeal No. 15-11

ORDER GRANTING STAY OF PROCEEDINGS

On August 13, 2015, the Town of Salisbury Sewer Commission (the "Town") filed a petition seeking review of several conditions in a National Pollutant Discharge Elimination permit issued by U.S. EPA Region 1 (the "Region"). The permit authorizes discharges from the Town's Wastewater Treatment Plant into an unnamed tidal creek that drains into the Merrimack River. The Town challenges several permit conditions including the: monthly average and maximum daily limits for total copper; monthly average for total nickel; and monthly average, weekly average and daily maximum for total ammonia-nitrogen.

On September 2, 2015, the parties filed a joint motion requesting that the Environmental Appeals Board ("Board") stay the proceedings in this case because they have agreed to engage in settlement discussions to reach a negotiated resolution of the issues raised in the Petition. The parties represent that negotiated resolution of the issues raised in the Petition is likely and request a stay of the proceedings before the Board to allow time to coordinate discussions between their respective technical representatives; involve Region 1 enforcement staff and counsel if technical agreement is reached; and consult with EPA's Office of General Counsel, and with the Massachusetts Department of Environmental Protection. The parties request a 60-day stay and ask

the Board to hold in abeyance the deadline for the Region to file its response to Petition and the certified index to the administrative record.

For good cause shown, the Board grants the parties request to stay this matter including the Region's deadline to file its response to the petition and the certified index to the administrative record. See 40 C.F.R. § 124.19(n). This matter is now stayed until **November 10, 2015**. The parties shall file a joint report no later than **October 13, 2015**, explaining the status of this matter, which shall include a discussion of recommended next steps for the efficient resolution of the pending Petition.

So ordered.

Date:

September 11, 2015



Kathie A. Stein
Judge, Environmental Appeals Board

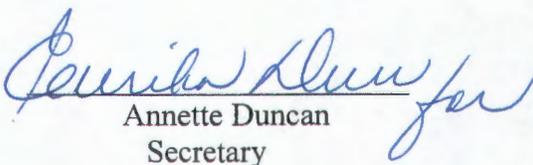
CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Stay of Proceedings in the matter of Town of Salisbury Sewer Commission, NPDES Appeal No. 15-11, were sent to the following persons in the manner indicated:

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Dated:

September 11, 2015 
Annette Duncan
Secretary