## BEFORE THE ENVIRONMENTAL APPEALS BOAR UNITED STATES ENVIRONMENTAL PROTECTION AG WASHINGTON, D.C.



In re:

Wyman Gordon Co.

NPDES Appeal No. 06-14

NPDES Permit No. MA 0004341

## **ORDER GRANTING REQUEST FOR A CONTINUED STAY OF PROCEEDINGS**

In a joint status report filed October 2, 2007, in the above-captioned matter, U.S. Environmental Protection Agency Region I ("Region") and petitioner Wyman Gordon Company ("WGC") request a continued stay of proceedings to allow the parties to resolve this matter through settlement negotiations. Currently, the proceedings are stayed until November 19, 2007, by which date the Region must file its response to the Petition for Review filed by WGC.

In their status report, WGC and the Region state that they are continuing their efforts to resolve this matter through negotiation. The parties report that on July 25, 2007, the Region conducted a site visit of WGC's facility, and that based on the visit, the Region submitted a detailed settlement proposal to WGC. The parties further state that WGC has filed a counterproposal that "appears encouraging" based upon the Region's preliminary review, and that the Region expects to submit its final response to WGC's counterproposal "within the next ten days." In light of the parties' expectation that a "negotiated outcome to this dispute is likely," the Region and WGC request an additional extension of the existing stay, which is due to expire on November 19, 2007.

For good cause shown, the parties' joint request for a continued stay of proceedings is

granted. The proceedings are stayed an additional sixty days, until January 18, 2008, and the Region's November 19, 2007 filing deadline is rescinded. The parties are directed to submit a status report by December 19, 2007, to advise the Board whether it is appropriate to continue the stay, dismiss the Petition for Review, or schedule the Region's response to the Petition. Moreover, consistent with the parties' representations in the joint status report, the parties are directed to inform the Board expeditiously if they reach settlement or if at any time during the stay it appears that settlement has become unlikely.

So ordered.

## ENVIRONMENTAL APPEALS BOARD

Dated: <u>Oct. 4</u> 2007

By:

Kathie A. Stein Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Request for a Continued Stay of Proceedings in the matter of Wyman Gordon Company, NDPES Appeal No. 06-14, were sent to the following persons in the manner indicated:

By Pouch Mail and Facsimile:

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OCT - 5 2007

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Date:

Annette Duncan Secretary