



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Region 1 – New England**  
**5 Post Office Square, Suite 100**  
**Boston, MA 02109-3912**

**VIA ELECTRONIC FILING**

March 7, 2014

Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1200 Pennsylvania Avenue, NW  
Mail Code 1103M  
Washington, DC 20460-0001

RE: In re Uxbridge Wastewater Treatment Facility  
NPDES Permit No. MA0102440; NPDES Appeal No. 13-06

Dear Ms. Durr:

Please find the Seventh Joint Status Report and accompanying Certificate of Service, in connection with NPDES Appeal No. 13-06.

Thank you for your assistance with this matter.

Sincerely,

/s/ Michael Curley  
Michael Curley, Attorney-Adviser  
US EPA – Region 1  
5 Post Office Square - Suite 100  
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**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

	)	
In the Matter of:	)	
	)	
Town of Uxbridge	)	
Wastewater Treatment Facility	)	NPDES Appeal No. 13-06
	)	
NPDES Permit No. MA0102440	)	
	)	

**SEVENTH JOINT STATUS REPORT**

Region 1 of the United States Environmental Protection Agency (“Region”) and the Town of Uxbridge Sewer Commission (“Uxbridge”) hereby provide the Environmental Appeals Board (“Board”) with an update of the progress of negotiations in the above-captioned matter. The parties continue to make progress toward a negotiated settlement of the appeal. Following review of Uxbridge’s comments on the proposed order and coordination with the Massachusetts Department of Environmental Protection (“MassDEP”), the Region has revised the proposed order accordingly and provided Uxbridge with a second draft.

**BACKGROUND**

On June 18, 2013, the Region issued National Pollutant Discharge Elimination System Permit No. MA0102440 (“NPDES Permit”) to Uxbridge. On July 19, 2013, Uxbridge filed a Petition for Review (“Petition”) with the Board requesting review of certain conditions of the NPDES Permit. The Board granted the parties’ joint motion for a stay on July 30, 2013 and the parties’ subsequent joint motions to extend the stay. The

Board's February 24, 2014 Order stayed the proceedings until March 28, 2014 and, *inter alia*, required the parties to file a Status Report by March 7, 2014.

### **STATUS REPORT**

Since the last filing, the parties have continued to make progress toward a settlement. In particular, the Region's technical and legal staff reviewed the comments that Uxbridge provided on the initial proposed Administrative Order on Consent. Following brief discussions with counsel for Uxbridge and appropriate coordination with MassDEP, the Region has proposed revisions to the draft order to address the concerns raised by the Town. Earlier today, the Region provided Uxbridge and MassDEP with a revised draft order. The parties will continue to work towards prompt finalization of the order and the withdrawal of the permit appeal.

Dated: March 7, 2014

Respectfully submitted,

U.S. EPA – Region 1

/s/ Michael Curley  
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Town of Uxbridge Sewer Commission

/s/ Michael Curley for John F. Shea  
John F. Shea, Esq.  
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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Seventh Joint Status Report, in connection with *In re Town of Uxbridge Wastewater Treatment Facility*, NPDES Appeal No. 13-06, was sent to the following persons in the manner indicated:

By Electronic Filing:

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

By electronic mail, by agreement between the parties:

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Dated: March 7, 2014

/s/ Michael Curley  
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