

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

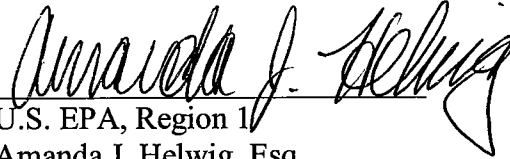
In the Matter of:)	
)	
)	
Upper Blackstone Water)	NPDES Appeal No. 09-06
Pollution Abatement District)	
)	
NPDES Permit No. MA 0102369)	
)	
)	

**RESPONDENT REGION 1'S RESPONSE TO MOTION
OF THE PERMITTEE FOR LEAVE TO REPLY**

The U.S. Environmental Protection Agency, Region 1 ("Region") asserts that the issues in this matter were sufficiently briefed in the Petition for Review filed by the Upper Blackstone Water Pollution Abatement District ("District") and the Region's Opposition to the District's Petition. The Region, however, does not oppose the District's submission of a reply in this matter, presuming the reply is limited to the District's proposed reply attached to its motion, and provided that the Region has the opportunity to file a brief sur-reply to correct several mischaracterizations and misleading statements set forth by the District in its proposed reply. If the Board permits the District to file a reply brief, the Region requests the opportunity to file a sur-reply of no more than 10 pages, limited to the issues raised in the District's reply brief, within 15 days of the date of the Board's order.

Respectfully submitted,

Dated: 7/30/09



U.S. EPA, Region 1

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Response to Motion of the Permittee for Leave to Reply, in connection with NPDES Appeal No. 09-06, were sent to the following persons in the manner indicated:

By Federal Express and Electronic Submission:

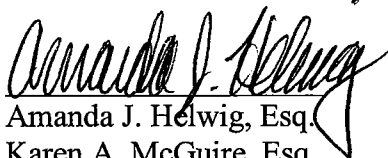
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United States Environmental Appeals Board (MC 1103B)
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Dated: July 30, 2009


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