

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In re:)	
Town of Northbridge Wastewater Treatment Plant)	Appeal No. NPDES 06-11
NPDES Permit MA-0100722)	
)	
)	
)	
)	

STATUS REPORT ON SETTLEMENT DISCUSSIONS

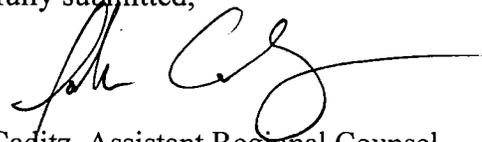
The United States Environmental Protection Agency, New England Region (“Region”) respectfully submits this status report to the Environmental Appeals Board (“Board”) with respect to the above-captioned matter.

On September 13, 2006, the Region reissued a National Pollutant Discharge Elimination System Permit, No. MA-0100722 (“Permit”), to the Town of Northbridge (“Town”). On October 16, 2006, the Town filed, pursuant to 40 C.F.R. § 124.19(a), a Petition for Review (“Petition”) of the Permit. On October 18, 2005, the Board directed the Region to submit a response by December 4, 2006. On November 17, 2006, the Region issued a Notice of Uncontested and Severable Conditions pursuant to 40 C.F.R. § 124.16(a)(2)(ii), making fully effective those conditions of the Permit not challenged in the Petition. On November 21, 2006, the Town and the Region jointly moved to stay the proceedings until March 6, 2007 in order to allow the parties to try to resolve the issues on appeal through settlement negotiations. On November 29, 2006, the Board issued an

order staying the proceedings in this matter until March 6, 2007, and directing the parties to submit a status report to the Board by January 10, 2007.

The Region and the Town have met to discuss settlement of the issues on appeal. By the end of January, the Town will submit a report that evaluates potential low cost alternatives to meet the phosphorus permit limits. Following submission of the report, the parties intend to resume negotiations to discuss the possible scope of an Administrative Order with a compliance schedule that could resolve the appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joshua Caditz', with a long horizontal flourish extending to the right.

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Date: January 9, 2007