



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region 1  
5 Post Office Square, Suite 100  
BOSTON, MA 02109-3912

**By Hand**

November 15, 2010

Jill Metcalf  
Acting Regional Judicial Officer  
U.S. EPA, Region I  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

Re: In the Matter of Town of Brookline, Massachusetts  
Docket No. CWA-01-2010-0075

Dear Ms. Metcalf,

In accordance with 40 C.F.R. § 22.18(b), enclosed please find a Clean Water Act Section 311 Expedited Settlement Agreement (ESA) that has been signed by the parties and is now being submitted to you for approval. Please note that consistent with 40 C.F.R. §§ 22.13(b) and 22.18(b) this ESA both commences and concludes the matter referenced above.

The proposed penalty of \$7,000 in the matter is consistent with EPA's Civil Penalty Policy for Violations of Section 311(b)(3) and Section 311(j) of the Clean Water Act ("CWA").

Because this is a Class I CWA action, no public notice is required. Once the Final Order has been signed, the parties will file the fully executed ESA with the Regional Hearing Clerk thereby resolving this matter. If you have any questions related to this matter please call me at 617-918-1762.

Respectfully submitted,

A handwritten signature in cursive script that reads "Diane Boisclair".

Diane Boisclair, Environmental Protection Specialist  
U.S. EPA, Region 1

Enclosure (ESA)

cc: Melvin Kleckner, Administrator, Town of Brookline, MA  
Wanda Rivera, Regional Hearing Clerk