



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

In re City of Rochester, New Hampshire
NPDES Permit No. NH0100668
NPDES Appeal No. 23-01

SECOND ORDER EXTENDING STAY OF PROCEEDINGS
TO ALLOW PARTIES TO PARTICIPATE IN THE BOARD'S
ALTERNATIVE DISPUTE RESOLUTION PROGRAM

On April 19, 2023, the City of Rochester, New Hampshire ("City") petitioned the Environmental Appeals Board ("Board") to review certain conditions of National Pollutant Discharge Elimination System permit no. NH100668, which the U.S. Environmental Protection Agency ("EPA") Region 1 issued to the City on March 20, 2023. The City and EPA Region 1 agreed to participate in the Board's Alternative Dispute Resolution ("ADR") program. On May 12, 2023, the Board issued an order staying all proceedings until July 11, 2023, to allow for the ADR process to proceed. On May 31, 2023, the Board extended the stay through August 7, 2023.

The settlement judge has notified the panel that the parties are making progress towards resolution of the matter and that a further stay of the proceeding until sixty days beyond the expiration of the current stay is warranted. Accordingly, all proceedings in this matter are stayed until Friday, October 6, 2023.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: July 26, 2023

By: Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Second Order Extending Stay of Proceedings to Allow Parties to Participate in the Board's Alternative Dispute Resolution Program* in the matter of City of Rochester, New Hampshire, NPDES Appeal No. 23-01, were sent to the following persons in the manner indicated:

By Email:

For: City of Rochester

Sherilyn Burnett Young
James J. Steinkrauss
Craig Thomas McMahon
Rath, Young and Pignatelli, P.C.
One Capital Plaza
Concord, NH 03302-1500
Tel. (603) 226-2700
sby@rathlaw.com
jjs@rathlaw.com
ctm@rathlaw.com

For: EPA Region 1

Michael Knapp
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code: 4-02
Boston, MA 02109
Tel. (617) 918-1053
knapp.michael@epa.gov

Dated: Jul 26, 2023

Emilio Cortes

Emilio Cortes
Clerk of the Board