



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

	)	
	)	
In re City of Portsmouth, New Hampshire	)	NPDES Appeal No. 22-02
	)	
NPDES Permit No. NH0109000	)	
	)	
	)	

**SECOND ORDER EXTENDING STAY OF PROCEEDINGS**

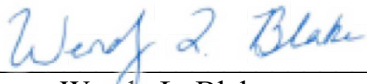
On September 7, 2022, the City of Portsmouth (“City”) petitioned the Environmental Appeals Board (“Board”) to review certain conditions of National Pollutant Discharge Elimination System permit no. NH0109000, which the U.S. Environmental Protection Agency (“EPA”) Region 1 issued to the City on August 8, 2022. The City and EPA Region 1 agreed to participate in the Board’s Alternative Dispute Resolution (“ADR”) program. On October 14, 2022, the Board issued an order staying all proceedings until December 13, 2022, to allow for the ADR process to proceed and on December 6, 2022, the Board extended the stay until January 31, 2023.

On January 27, 2023, the parties informed the Board that they have reached an agreement through the ADR process and request a further stay of all proceedings for four months through May 31, 2023, to allow the Region to take certain steps as described in the Joint Motion for Extension of Stay prior to the City withdrawing its permit appeal. Based on the representations in the Joint Motion for Extension of Stay, the Board **GRANTS** the motion. Accordingly, all proceedings in this matter are stayed until **Wednesday, May 31, 2023**.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: January 31, 2023

By:   
Wendy L. Blake  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Second Order Extending Stay of Proceedings* in the matter of City of Portsmouth, New Hampshire, NPDES Appeal No. 22-02, were sent to the following persons in the manner indicated:

**By Email:**

**For: City of Portsmouth**

F. Paul Calamita  
Richard H. Sedgley  
AquaLaw PLC  
6 South 5th Street  
Richmond, Virginia 23219  
paul@Aqualaw.com  
dick@Aqualaw.com  
Tel. (804) 716-9021

**For: EPA**

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

Dated: Jan 31, 2023

*Emilio Cortes*

\_\_\_\_\_  
Emilio Cortes  
Clerk of the Board