

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

In re City of Manchester ) NPDES Appeal No. 25-05  
NPDES Permit No. NH0100447 )  
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## SCHEDULING ORDER

January 22, 2026

***Order of the Board by Judge Avila:***

On December 22, 2025, the Board granted EPA Region 1’s request for a stay of the proceedings in the above-captioned matter. Order Granting Stay of Proceedings and Directing Status Report (Dec. 22, 2025). The Order stayed the matter until February 20, 2026, and directed the parties to file a status report by February 10, 2026. *Id.* On January 7, 2026, Conservation Law Foundation (“CLF”) filed a motion to intervene in this proceeding, or alternatively, to consolidate this proceeding with CLF’s petition for review of the permit that is also at issue in this matter. Motion for Leave to Intervene or, in the Alternative, to Consolidate Dockets (Jan. 7, 2026). Petitioner City of Manchester filed a motion to confirm that all deadlines in this matter are stayed, including any deadline for response to CLF’s Motion for Leave to Intervene. Motion of the City of Manchester for an Order Confirming Stay of Appeal Deadlines and to Defer Ruling Upon CLF’s Intervention Motion Due to Stay of Appeal Deadlines (Jan. 20,

2026). Region 1 filed a response to the Motion for Leave to Intervene. EPA Region 1's Opposition to the Motion for Leave to Intervene, or in the Alternative to Consolidate Dockets (Jan. 21, 2026).

In the interest of providing clarity to the parties and CLF and for administrative efficiency, the Board hereby sets the following briefing schedule on the Motion for Leave to Intervene. *See* 40 C.F.R. § 124.19(f), (n). The City shall file any response to the Motion on or before **Thursday, January 29, 2026**. CLF shall file any reply to the responses no later than **Monday, February 9, 2026**. EPA Region 1 and the City shall file a status report no later than **Tuesday, February 10, 2026**, in accordance with the Board's December 22, 2025, Order.

So ordered.

## **CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Scheduling Order* in the matter of City of Manchester, NPDES Appeal No. 25-05, were sent to the following persons on January 22, 2026 in the manner indicated:

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Tommie Madison  
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