

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

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


**SIXTH 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. NH0100668, 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 to allow for the ADR process to proceed. Between May 2023 and January 2024, the Board issued orders extending the stay, which currently expires on Wednesday, March 6, 2024.

The settlement judge has notified the panel that the parties have continued to make substantial progress towards resolution of the matter. In light of this development, a further stay of the proceedings for thirty days beyond the expiration of the current stay on Wednesday, March 6, 2024, is warranted. Accordingly, all proceedings in this matter are stayed until **Friday, April 5, 2024.**

So ordered.

Dated: February 9, 2024

**ENVIRONMENTAL APPEALS BOARD**  
 By:   
 Aaron P. Avila  
 Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Sixth 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**

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Dated: Feb 09, 2024

Annette Duncan

Annette Duncan  
Administrative Specialist