

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

In the Matter of:

City of Manchester

NPDES Permit No. NH0100447

NPDES Appeal No. 25-05

**JOINT STATUS REPORT**

On November 3, 2025, EPA issued a National Pollutant Discharge Elimination System (“NPDES”) Permit (“the Permit”), authorizing discharges from the City of Manchester’s (“the City’s”) wastewater treatment facility to the Merrimack River and other receiving waters. On December 3, 2025, the City timely filed its Petition for Review (“City Petition”) with the Board in this docket (NPDES Appeal No. 25-05).

EPA Region 1 filed an assented-to Motion requesting a stay of the proceedings on December 19, 2025, in order to facilitate settlement discussions between the Region and the City. On December 22, 2025, the Board issued an Order Granting Stay of Proceedings and Directing Status Report in the City’s appeal. More specifically, the Board stayed the case until Friday, February 20, 2026, and directed the parties to submit a status report on or before Tuesday, February 10, 2026, in which the parties “set forth their view on further proceedings, including whether the parties anticipate being able to continue progress towards a settlement and the basis for any further stay should one be requested.” Order Granting Stay of Proceedings and Directing Status Report, at 2.

The parties hereby file this Joint Status Report to provide the above-mentioned information.

EPA and the City have engaged in productive in-person discussions and made significant progress toward a potential agreement and resolution of some or all issues presented in the City’s Petition. While the parties have not yet reached an understanding, they are optimistic that a negotiated resolution is possible. Therefore, the parties respectfully request an additional 45-day extension to the current stay of the appeal, or until April 6, 2026, to: allow time to schedule additional substantive discussions, allow each party to conduct the necessary internal organizational coordination, and provide time to draft and memorialize a potential agreement.

Dated: February 10, 2026

Respectfully submitted,

U.S. EPA – Region 1

City of Manchester

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*/s/ Adam M. Dumville*

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Joint Status Report, in connection with *In re City of Manchester*, NPDES Appeal No. 25-05, was sent to the following persons in the manner indicated:

By Electronic Filing:

Tommie Madison  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
WJC East Building, Room 3332  
Washington, DC 20004

Dated: February 10, 2026

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