

**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	)	
	)	
	)	

**FOURTH 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. On May 31, July 26, and September 27, 2023, the Board extended the stay.

The settlement judge has notified the panel that the parties are continuing to make progress towards resolution of the matter and that a further stay of the proceedings until sixty days beyond the expiration of the current stay on Tuesday, December 5, 2023, is warranted. Accordingly, all proceedings in this matter are stayed until **Monday, February 5, 2024**.

So ordered.

Dated: November 20, 2023

**ENVIRONMENTAL APPEALS BOARD**

By:   
 \_\_\_\_\_  
 Aaron P. Avila  
 Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Fourth 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: Nov 20, 2023

Annette Duncan

Annette Duncan  
Administrative Specialist