



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

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In re:))
City of Keene) NPDES Appeal No. 21-03
))
NPDES Permit No. NH-0100790))
_____))

ORDER SCHEDULING ORAL ARGUMENT

Pending before the Environmental Appeals Board (“Board”) is a petition for review challenging a Clean Water Act National Pollutant Discharge Elimination System permit issued by the U.S. Environmental Protection Agency, Region 1 (“Region 1”) to the City of Keene, New Hampshire (“City”). The permit authorizes discharges of treated wastewater effluent from the Keene Wastewater Treatment Plant to the Ashuelot River. The City requested oral argument and the Region concurred with the request. *See* City of Keene Petition for Review 27 (Nov. 15, 2021); Region 1’s Response to the Petition for Review 41 (Dec. 15, 2021).

Upon review of the administrative record and the parties’ briefs, the Board has decided that oral argument would be of assistance in the Board’s deliberations on this matter. Accordingly, the Board will hold oral argument on **Thursday, April 7, 2022**, beginning at **1:30 p.m.** Eastern Time. The Board has allocated sixty (60) minutes for this oral argument, divided as follows and in the following order:

- Thirty (30) minutes for the City
- Thirty (30) minutes for the Region.

The City may reserve up to ten (10) minutes of its thirty-minute time allocation for rebuttal.

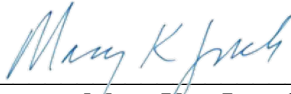
Oral argument will be conducted by videoconference. No video or audio recording is allowed. A court reporter will be present, and the Board intends to post a transcript of the argument to the docket in this matter.

The Board directs each party to file a “Notice of Participation” on or before **Thursday, March 24, 2022**, providing (1) the name and contact information for the individual(s) who will present argument on its behalf, and (2) the name(s) and contact information for any other person(s) whose participation in the oral argument is deemed necessary. The Clerk of the Board will contact the parties in advance of the argument to provide further information regarding logistics and to schedule a videoconference approximately one week before the oral argument to identify and resolve any potential technical issues. Approximately forty-eight (48) hours prior to the oral argument, the Clerk of the Board will post a link on the Board’s website that will allow members of the public to view the oral argument (www.epa.gov/eab, click on Upcoming Oral Arguments tab).

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: Feb 10, 2022

By: 
Mary Kay Lynch
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing **ORDER SCHEDULING ORAL ARGUMENT** in the matter of *City of Keene*, NPDES Appeal No. 21-03, were sent to the following persons by electronic mail:

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Dated: Feb 10, 2022



Emilio Cortes
Clerk of the Board