

**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

SECOND 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 filed a Joint Status Report on February 10, 2026, requesting an additional 45-day extension to the current stay of the appeal, or until April 6, 2026, to continue settlement negotiations.

The Board issued an Order Granting the request, extending the stay until April 6, 2026, and requiring that the parties submit a status report on or before March 27, 2026.

Since that time, the parties have continued discussions and have been moving towards a settlement. For the same reasons set forth in the parties' February 10, 2026, status report, the parties respectfully request an additional 45-day extension to the current stay of the appeal, or until May 21, 2026, so that the parties may conclude discussions and memorialize an agreement to resolve this appeal.

Dated: March 27, 2026

Respectfully submitted,

U.S. EPA – Region 1

City of Manchester

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Second 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: March 27, 2026

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