

**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

FOURTH 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. 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. On February 20, 2026, 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. Order Extending Stay of the Proceedings.

The parties again provided a status report to the Board on March 27, 2026, reporting that they continued discussions and movement towards a settlement. The parties then requested an additional 45-day extension to the current stay of the appeal, or until May 21, 2026. On March 31, 2026, the Board granted the request and stayed the proceedings until Thursday, May 21, 2026.

The parties reported to the Board on May 12, 2026, that they had reached a tentative agreement and requested an additional 30 days to finalize such agreement. The Board granted the request and extended the stay until June 22, 2026, with a directive to provide a status report to the Board by June 12, 2026. Third Order Extending Stay of the Proceedings, at 2.

The parties have worked to finalize the tentative agreement and are making progress. However, in order to provide an opportunity to complete the agreement, the parties respectfully request that the Board extend the current stay for an additional 60 days.

Dated: June 12, 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 Fourth 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: June 12, 2026

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