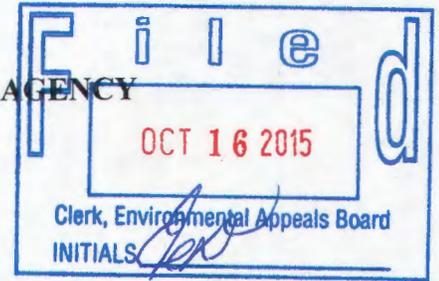


ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_  
In re: )  
)

City of Nashua )

NPDES Appeal No. 15-06

NPDES Permit No. NH0100170 )  
\_\_\_\_\_)

**FOURTH ORDER EXTENDING STAY OF PROCEEDINGS**

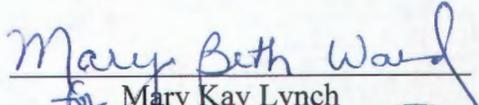
On April 13, 2015, the City of Nashua, New Hampshire (the "City") filed a petition seeking review of several conditions in a National Pollutant Discharge Elimination permit issued by U.S. EPA Region 1 (the "Region"). Shortly thereafter the Region withdrew portions of the permit, rendering moot some of the challenges raised in the Petition. The parties also began discussions to explore the possibility of a negotiated resolution of the remaining issues, and requested that the Environmental Appeals Board ("Board") stay this matter to allow the parties the opportunity to engage in settlement discussions. The Board granted the parties' request to stay this matter, as well as two other requests for extending the stay. The last motion the Board granted extended the stay until October 13, 2015.

The parties now seek an additional one hundred and twenty day extension of the stay. See Status Report and Fourth Joint Motion to Stay the Proceedings (Oct. 9, 2015). The parties explain that they "have arrived at a comprehensive settlement that resolves all the issues raised in the Petition," but that they need additional time to effectuate the settlement terms, which include initiating permit modification proceedings for the permit challenged in this proceeding, before moving to dismiss the Petition. *Id.* at 2-3.

In the interest of judicial economy and for good cause shown, the Board grants the parties' request to stay this matter. *See* 40 C.F.R. § 124.19(n). The Board again commends the parties for the effort to resolve this matter and keep the Board apprised of the progress in a timely manner. This case is now stayed until **February 16, 2016**. The Board further orders the parties to file four joint reports providing the Board with the status of the proposed permit modification proceedings described in the parties' joint motion. The joint reports shall be filed no later than **November 16, 2015**, **December 16, 2015**, **January 15, 2016**, and **February 16, 2016**, respectively.

So ordered.

Date: 10/16/2015

  
for Mary Kay Lynch  
Judge, Environmental Appeals Board

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Fourth Order Extending Stay of Proceedings in the matter of City of Nashua Wastewater Treatment Facility, NPDES Appeal No. 15-06, were sent to the following persons in the manner indicated:

First Class Mail:

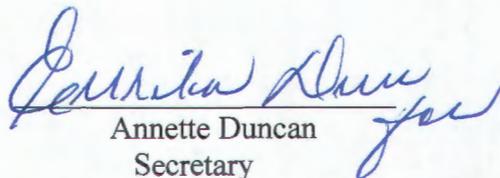
Sherilyn Burnett Young, Esq.  
Marcia A. Brown, Esq.  
Rath, Young and Pignatelli, P.C.  
One Capital Plaza  
Concord, NH 03302-1500  
Tel. (603) 226-2600  
Fax. (603) 226-2700

By Pouch Mail:

Samir Bukhari, Esq.  
Michael Curley, Esq.  
Office of Regional Counsel  
5 Post Office Square,  
Mailcode: ORA18-1  
Boston, MA 02109-3912  
Tel: (617) 918-1095  
Fax: (617) 918-0095

Dated:

*October 16, 2015*

  
Annette Duncan  
Secretary