



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

In re City of Portsmouth, New Hampshire
NPDES Permit No. NH0109000
NPDES Appeal No. 22-02

ORDER DISMISSING PETITION FOR REVIEW

On May 5, 2023, the City of Portsmouth ("City") filed a notice withdrawing its petition for review. See City of Portsmouth's Notice of Withdrawal of Petition for Review. In support of its filing, the City states that the parties have reached an agreement to resolve their dispute, and, pursuant to that agreement, Environmental Protection Agency Region 1 has withdrawn certain permit provisions and published a proposal for public comment regarding the removal of those provisions.

In light of the foregoing, the Environmental Appeals Board dismisses the City's petition for review.

So ordered.<sup>1</sup>

**ENVIRONMENTAL APPEALS BOARD**

Dated: May 10, 2023

By: Wendy L. Blake  
Wendy L. Blake  
Environmental Appeals Judge

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<sup>1</sup> The three-member panel deciding this matter is composed of Environmental Appeals Judges Wendy L. Blake, Mary Kay Lynch, and Kathie A. Stein.

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Order Dismissing Petition for Review* in the matter of City of Portsmouth, New Hampshire, NPDES Appeal No. 22-02, were sent to the following persons in the manner indicated:

**By Email:**

**For: City of Portsmouth**

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Dated: May 10, 2023

*Emilio Cortes*

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Emilio Cortes  
Clerk of the Board