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June 15, 2007

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board (MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Attn: Eurika Durr

Re: In re: City of Portsmouth, New Hampshire Peirce Island Wastewater Treatment
Facility and Combined Sewer Overflows
NPDES Permit No. NH0100234
NPDES 07-13
Docket No.: NH0100234

Dear Ms. Durr:

This office represents the City of Portsmouth ("City") with respect to the above Petition filed by the Conservation Law Foundation ("CLF") seeking review of the NPDES permit issued on April 10, 2007 by the Environmental Protection Agency Region 1. The City acknowledges that it is the EAB's practice to grant a timely request by a permittee for the opportunity to respond to a Petition for Review. This letter is to notify the EAB that the City intends to participate in the EAB's review of this Petition. The City understands from discussions with Ann Williams, Esquire of Region 1 that EPA intends to request a sixty (60) day stay of the Petition in order to explore with CLF and the City whether CLF's concerns can be resolved without the need for further review by the EAB. The City has no objection to a sixty (60) day but wishes to be notified of any communications among CLF, EPA, and the EAB. Following the conclusion of the anticipated sixty (60) day stay, the City will file its response to the CLF Petition for Review.

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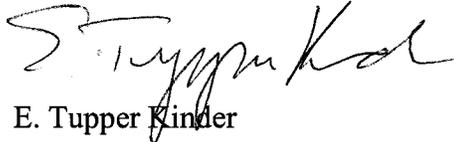
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Please feel free to contact me should you have any questions with regard to any of the above.

Very truly yours,



E. Tupper Kinder

ETK/sma

cc: Thomas F. Irwin, Esquire, Conservation Law Foundation
Suzanne Woodland, Esquire, City of Portsmouth
Ann Williams, Esquire, Region 1 EPA

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