



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Region 1**  
**5 Post Office Square, Suite 100**  
**Boston, MA 02109-3912**

**VIA ELECTRONIC FILING**

January 12, 2016

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

**RE: City of Nashua Wastewater Treatment Facility**  
**NPDES Permit Appeal No. 15-06; NPDES Permit No. MA0100170**

Dear Ms. Durr:

Please find a Joint Status Report in connection with NPDES Appeal No. 15-06.

Sincerely,

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Enclosures

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

In the Matter of:	)	
	)	
	)	
City of Nashua	)	
Wastewater Treatment Facility	)	NPDES Appeal No. 15-06
	)	
NPDES Permit No. NH0100170	)	
	)	

**JOINT STATUS REPORT**

**I. Background**

On April 13, 2015, the City of Nashua, New Hampshire filed a Petition for Review (“Petition”) with the Environmental Appeals Board (“Board”) requesting review of certain conditions of a National Pollutant Discharge Elimination System (“NPDES”) permit issued by Region 1 of the United States Environmental Protection Agency (“Region”) authorizing discharges of wastewater effluent from the City’s Wastewater Treatment Facility to the Merrimack River, as well as from nine Combined Sewer Overflows to the Merrimack and Nashua Rivers.

Following settlement discussions, the parties reported that they had negotiated an agreement to resolve the Petition in its entirety, and moved the Board to stay the proceedings to allow the settlement to be implemented via a permit modification. *See Status Report and Fourth Joint Motion to Stay the Proceedings* (October 9, 2015). The Board granted the motion, staying the proceedings until February 16, 2016, and requiring periodic status reports. *Fourth Order Extending Staying of Proceedings* at 2 (October 16, 2015). In their most recent status report, the parties informed the Board that the Region

had sent a draft of the permit modification materials to the New Hampshire Department of Environmental Services (“NHDES”) for their review. *See Status Report* (December 16, 2015).

## **II. Status Report**

NHDES has completed their review of the draft permit modification documents. On January 12, 2016, the Region transmitted revised drafts incorporating NHDES comments to the City for their review and concurrence.

Dated: January 12, 2016

Respectfully submitted,

U.S. EPA – Region 1

City of Nashua

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## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Joint Status Report, in connection with In re City of Nashua Wastewater Treatment Facility, NPDES Appeal No. 15-06, was sent to the following persons in the manner indicated:

By Electronic Filing:

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
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Washington, DC 20004

By Electronic Mail and U.S. Mail:

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Dated: January 12, 2016

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