

**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 MOTION TO STAY THE PROCEEDINGS**

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.

The parties are in discussions to ascertain whether a negotiated resolution of the issues raised in the Petition is possible. Accordingly, the Region and the City respectfully request that the Board stay the above-captioned matter to provide the parties with additional time to continue negotiations. Due in part to the number of issues raised, as well as to the need to plan and coordinate discussions around existing vacation and work schedules, the parties request that the Board stay the proceedings for thirty (30) days. Under the proposed schedule, the parties would file a joint status report with the

Board after twenty-one (21) days describing the status of negotiations and advising the Board whether it would be appropriate to continue the stay to allow further negotiations or to allow the stay to expire.

### **CONCLUSION**

For these reasons, and in the interest of conserving judicial resources, the parties respectfully request that the Board issue an order staying the proceedings for thirty (30) days.

Dated: July 7, 2015

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 Motion to Stay the Proceedings, 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  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

By Electronic Mail and U.S. Mail:

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Dated: July 7, 2015

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