



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

VIA ELECTRONIC FILING

December 16, 2015

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,

Samir Bukhari
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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 the first of those status reports, due November 16, 2015, the Board ordered the

Region to report on the progress of drafting the permit modification documents and whether the Region expected to complete that task within its projected 60-day timeline.

The parties informed the Board that the Region had commenced drafting the permit modification materials, which it expected to complete within the expected timeframe.

See Status Report (November 16, 2015).

II. Status Report

The Region has finished drafting the permit modification documents and has transmitted these materials to the New Hampshire Department of Environmental Services (“NHDES”) for its review. Upon consideration of any comments by NHDES, the Region will transmit the draft permit modification materials to the City for its review and concurrence.

Dated: December 16, 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 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
U.S. EPA East Building, Room 3334
Washington, DC 20004

By Electronic Mail and U.S. Mail:

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Dated: December 16, 2015

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