



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

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

JAN 24 2018

Terry Desmarais, Jr., P.E.
City Engineer
City of Portsmouth
680 Peaverly Hill Road
Portsmouth, NH 03801

Re: City of Portsmouth, New Hampshire - Consent Decree 09-cv-283-PB

Dear Mr. Desmarais:

The U.S. Environmental Protection Agency ("EPA") and the New Hampshire Department of Environmental Services ("NHDES") have reviewed the following reports submitted by the City in response to the EPA's July 10, 2017 letter and pursuant to Paragraph 12.c. of the Consent Decree:

- *Combined Sewer Overflow ("CSO") Supplemental Compliance Plan* December 22, 2017 update prepared by Hazen and Sawyer; and
- *Sewer System Evaluation Survey ("SSES") Study* prepared by Woodard & Curran in December 2017.

The updated *CSO Supplemental Compliance Plan* identifies six sewer separation projects (i.e., Fleet Street; Pleasant Street at Court Street; McDonough Phase 3B; Islington Street Phase 1; Maplewood Avenue at Fairview Drive; and Union Street) and high-priority wastewater collection system infiltration and inflow ("I/I") removal projects¹ in Basins LR3, LR4, LR6, and GR1 (i.e., Contract #1 projects) and to further reduce CSO discharge volume and frequency before collecting water quality data and updating the City's Long-Term CSO Control Plan ("LCTP"). As required by Paragraph 12.c. of the CD, the CSO Supplemental Compliance Plan also includes a schedule for taking such actions.

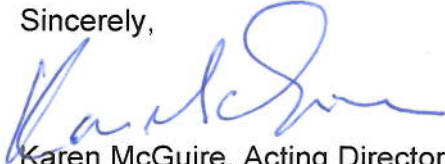
¹The SSES Study depicts and describes the Contract #1 pipe and manhole rehabilitation projects in Figure 1-1: Site Locus Map; Table 4-11: Phased Collection System Infiltration Removal Plan; Table 4-12: Pipeline Rehabilitation Recommendations; Table 4-13: Manhole Rehabilitation Recommendations; and Figure 4-3: Collection System Rehabilitation Manhole and Pipe Recommendations maps 1, 2 and 3 of 3.

By this letter, EPA with NHDES concurrence approves the updated *CSO Supplemental Compliance Plan* and implementation schedule as contained in such plan. Accordingly, the City shall:

- complete the six sewer separation projects and the Contract #1 wastewater collection system rehabilitation projects by no later than October 2023;
- complete the LTCP update by no later than October 2025; and
- provide project status on all seven projects as part of the monthly reports on compliance it will be submitting pursuant to Paragraph 6.a. of the Consent Decree Second Modification.

If you have any questions, please contact Joy Hilton at (617) 918-1877 or have the City's legal counsel contact Tonia Bandrowicz at (617) 918-1734.

Sincerely,



Karen McGuire, Acting Director
Office of Environmental Stewardship

cc: Mark Pollins, Director of Water Enforcement, USEPA
Joy Hilton, USEPA Region 1
Tracy L. Wood, NHDES, Wastewater Engineering Bureau Administrator
Allen Brooks, Esq., Department of Justice, Environmental Protection Bureau
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Suzanne Woodland, Deputy City Attorney, Portsmouth