

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

UNITED STATES OF AMERICA )  
 )  
 and )  
 )  
 STATE OF MAINE, )  
 )  
 Plaintiffs ) Civil Action No. 1:15-cv-00350-NT  
 )  
 v. )  
 )  
 CITY OF BANGOR, MAINE, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

**FIRST MODIFICATION OF CONSENT DECREE**

WHEREAS, on November 13, 2015, the Court entered a Consent Decree (“Consent Decree” or “Decree”) in this action among the United States of America (“United States”), on behalf of the United States Environmental Protection Agency (“EPA”), the State of Maine (“State”) on behalf of the Maine Department of Environmental Protection (“MEDEP”) and the City of Bangor (“City”), collectively, the “Parties.” Under the Consent Decree, the City will perform certain short and long term injunctive relief projects in connection with its wastewater collection system and municipal separate storm sewer system.

WHEREAS, the Parties have agreed that a modification to the Consent Decree is appropriate and is in the interest of timely and effective implementation of the Consent Decree. This modification changes the date that updated GIS deliverables shall be submitted to EPA and MEDEP on an annual basis. Currently under Paragraph 9.a(4) of the Consent Decree, updated GIS Deliverables shall be submitted to EPA and MEDEP with the annual Reports on Compliance required pursuant to Paragraph 21. The annual Reports on Compliance required pursuant to Paragraph 21 are due each year on January 31. This modification will change Paragraph 9.a(4) to require the updated GIS Deliverables be submitted to EPA and MEDEP each year on July 1, along with other related information required under Paragraph 9.a.

WHEREAS, the foregoing modification is a non-material modification of the Consent Decree. Specifically, it is a modification to a schedule specified in the Consent Decree that does not otherwise alter the obligations of the Consent Decree. As such, pursuant to Paragraph 70 of the Decree, it will be effective upon written agreement of the City, EPA and MEDEP.

WHEREAS, written notice of this non-material modification has been provided to the United States Department of Justice and the Maine Office of the Attorney General. These parties have no objection to this non-material modification.

NOW, THEREFORE, the Consent Decree is hereby modified as follows:

The last sentence of Paragraph 9.a(4) on page 17 of the Consent Decree is hereby modified by the Parties to read as follows: “Each such updated GIS Deliverable shall be submitted to EPA and MEDEP with the annual GIS Deliverables required pursuant to this subparagraph 9.a.”

THE UNDERSIGNED PARTY enters into this First Modification of Consent Decree in the matter of *United States and the State of Maine v. City of Bangor*

For UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

  
\_\_\_\_\_  
MARK POLLINS, Director  
Water Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

  
\_\_\_\_\_  
Date

THE UNDERSIGNED PARTY enters into this First Modification of Consent Decree in the matter of *United States and the State of Maine v. City of Bangor*

For UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Susan Studlien  
SUSAN STUHLIEN  
Director, Office of Environmental Stewardship  
United States Environmental Protection Agency,  
Region 1  
5 Post Office Square – Suite 100  
Boston, Massachusetts 02109-3912

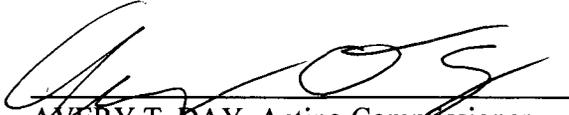
12/17/2015  
Date

Tonia Bandrowicz  
TONIA BANDROWICZ  
Senior Enforcement Counsel  
Office of Environmental Stewardship  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square – Suite 100  
Boston, Massachusetts 02109-3912

12-14-15  
Date

THE UNDERSIGNED PARTY enters into this First Modification of Consent Decree in the matter of *United States and the State of Maine v. City of Bangor*

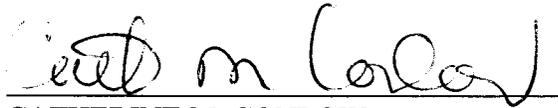
For STATE OF MAINE

  
\_\_\_\_\_  
AVERY T. DAY, Acting Commissioner  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0006

12/14/15  
Date

THE UNDERSIGNED PARTY enters into this First Modification of Consent Decree in the matter of *United States and the State of Maine v. City of Bangor*

For CITY OF BANGOR



CATHERINE M. CONLOW  
City Manager  
73 Harlow Street  
Bangor, ME 04401

12-15-15  
Date