



From:  
**Deane H. Bartlett (3RC20)**  
Senior Assistant Regional Counsel  
U. S. Environmental Protection Agency  
Region III  
1650 Arch Street  
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ENVIR. APPEALS BOARD

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To: Linnea Dawn, Clerk of the Board

at FAX No: 202/233-0121

Date: 6/25/07 Number of pages (including cover): 4

Subject: Motion for Extension of Time to File Response  
Appeal Nos. 07-10, 07-11 and 07-12

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

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ENVIR. APPEALS BOARD

VIA TELEFAX AND OVERNIGHT MAIL

June 25, 2007

Ms. Eurika Durr, Clerk of the Board  
Environmental Appeals Board  
U.S. Environmental Protection Agency  
Colorado Building  
Suite 600  
1341 G. Street, N.W.  
Washington, D.C. 20005

Re: Respondent's Motion on Consent for Extension of Time to File Response to Petitions  
NPDES Permit No: DC002119: Appeal Nos: 07-10, 07-11 and 07-12

Dear Ms. Durr:

Enclosed please find one original and five copies of the above referenced document, which I am also serving on counsel for Petitioners in this matter.

Please contact me at 215-814-2776 if you have any questions .

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Deane H. Bartlett".

Deane H. Bartlett

Senior Assistant Regional Counsel

Enclosure

cc: (with enclosure)

Amy McDowell, Esq. - CBF

Jon A. Mueller, Esq. - CBF

Stuart Leeth, Esq., McGuireWoods - WASA

David Evans, Esq. - McGuireWoods,- WASA

Jennifer Chavez, Esq. - Earthjustice Legal Defense Fund

David Baron, Earthjustice Legal Defense Fund



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2007 JUN 25 AM 11: 21

**BEFORE THE ENVIRONMENTAL APPEALS BOARD**  
**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**WASHINGTON, D.C.**

<hr/>		)
<b>In the Matter of:</b>		)
		)
Chesapeake Bay Foundation,		) NPDES Appeal No. 07-10
		)
	Petitioner	)
and		)
		)
District of Columbia Water and Sewer		) NPDES Appeal No. 07-11
Authority		)
		)
	Petitioner	)
and		)
		)
Friends of the Earth and Sierra Club		)
		)
	Petitioners	) NPDES Appeal No. 07-12
		)
NPDES Permit No. DC 0021199		)
		)
U.S. Environmental Protection Agency, Region III,		)
Respondent.		)
<hr/>		)

**RESPONDENT'S MOTION ON CONSENT**  
**TO EXTEND TIME TO FILE RESPONSE TO PETITIONS**

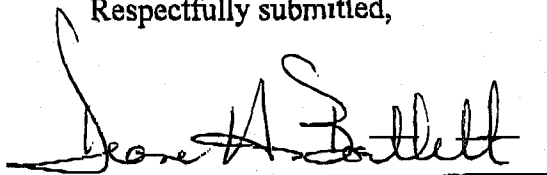
Respondent, the United States Environmental Protection Agency, Region III (Region) hereby files this Motion for an extension of time to file its response to the petitions for review of the final modified National Pollutant Discharge Elimination System Permit No. DC021199,

issued to the District of Columbia Water and Sewer Authority (WASA) on April 5, 2007.

Petitions for review of the Permit were filed by the Chesapeake Bay Foundation (CBF), WASA and the Friends of the Earth and the Sierra Club (FoE/SC).

Pursuant to the Board's letter of May 10, 2007, the Region is has been directed to file its response to the Petitions by June 28, 2007. The Region hereby requests an extension of the time to file its response until July 6, 2007. The Region has contacted counsel for CBF, WASA and FoE/SC, each of which consents to this extension of time.

Respectfully submitted,



Deane H. Bartlett  
Senior Assistant Regional Counsel  
EPA, Region III

OF COUNSEL  
Sylvia Horwitz  
Office of General Counsel

## CERTIFICATE OF SERVICE

I hereby certify that Respondent's Motion on Consent to Extend Time to File Response to Petitions for Review was served on this date as set forth below:

The Motion was telefaxed and then one original and five copies were mailed by overnight mail to:

Ms. Eurika Durr  
 Clerk of the Board, Environmental Appeals Board  
 U.S. Environmental Protection Agency  
 Colorado Building  
 Suite 600  
 1341 G Street N.W.  
 Washington, DC 20005

One copy each was telefaxed and then mailed by first class mail, postage prepaid to counsel for Petitioners:

Chesapeake Bay Foundation:

Amy McDowell, Esquire  
 Jon A. Mueller, Esquire  
 Chesapeake Bay Foundation  
 Philip Merrill Environmental Center  
 6 Herndon Avenue  
 Annapolis MD 21403

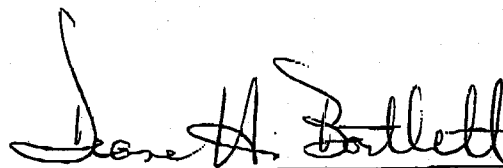
District of Columbia Water and Sewer Authority:

Stewart T. Leeth, Esquire  
 David E. Evans, Esquire  
 McGuirewoods LLP  
 One James Center  
 901 East Cary Street  
 Richmond, VA, 23219-4030

Friends of the Earth and Sierra Club:

Jennifer C. Chavez, Esquire  
 David Baron, Esquire  
 Earthjustice Legal Defense Fund  
 1625 Massachusetts Ave., NW Suite 702  
 Washington, DC 20036-2212

Date: June 25, 2007



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