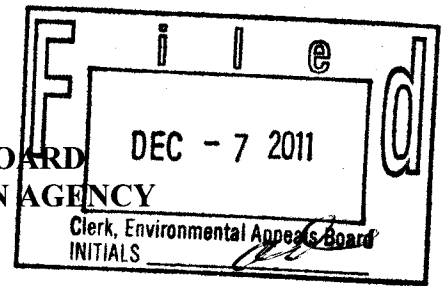


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
)
Government of the District of Columbia,) NPDES Appeal Nos. 11-05 & 11-06
Municipal Separate Storm Sewer System)
)
)
NPDES Permit No. DC0000221)
)
)

**ORDER GRANTING, IN PART, DDOE'S UNOPPOSED MOTION
FOR EXTENSION OF TIME**

On November 4, 2011, the District of Columbia Water and Sewer Authority ("DC Water") and the Wet Weather Partnership ("WWP") jointly filed a petition requesting that the Environmental Appeals Board ("Board") review a final municipal separate storm sewer system ("MS4") NPDES permit issued by the United States Environmental Protection Agency Region 3 ("Region 3") to the Government of the District of Columbia. On the same day, the Friends of the Earth, Anacostia Riverkeeper, Inc., Potomac Riverkeeper Inc., and Natural Resources Defense Council, Inc. (jointly, the "Environmental Petitioners") also filed a petition for review with the Board. The District Department of the Environment ("DDOE") subsequently filed a motion with the Board requesting that it be allowed to intervene in this proceeding and file a response to both petitions for review, including the one submitted by DC Water.

On November 29, 2011, the Board required the Government of the District of Columbia and the Region to provide additional briefing on certain issues. *See* Order of November 29, 2011, at 3-4. The briefs addressing these issues were due December 8 and December 15, 2011, respectively. *See id.* at 4.

On December 5, 2011, DDOE filed a motion with the Board requesting an extension of time in which to file its response to the Board's order. DDOE's Unopposed Motion for Extension of Time at 1. DDOE states that "[t]he issues posed are significant, extremely important to the parties, and critical to the smooth implementation of the permit." *Id.* at 3. DDOE also avers that in order for it to "respond thoughtfully, carefully and completely to the questions posed, DDOE requires discussions within its leadership and with the Attorney General." *Id.* DDOE therefore requests that it be granted an additional six weeks, to January 17, 2012, to answer the four questions posed by the Board in the November 29, 2011 Order. *Id.* DDOE states that the other parties do not oppose its request for an extension of time. *Id.* at 4. DDOE also represents that the Region would like an extension in which to file its reply to DDOE's response. *Id.* at 3-4.

For good cause shown, in light of the other extensions of time the Board has granted, and in light of the holiday season, the Board grants DDOE's request for extensions of time for the filing of briefs addressing the Board's questions of November 29, 2011. Accordingly, the District of Columbia's brief is due no later than **January 12, 2012**. The Board also grants an extension of time for the filing of responses to the District of Columbia's brief to **January 26, 2012**.

So ordered.

ENVIRONMENTAL APPEALS BOARD



Catherine R. McCabe
Environmental Appeals Judge

Date: 12/7/11

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting, in Part, DDOE's Motion for Extension of Time in the matter of the Government of the District of Columbia, NPDES Appeal Nos. 11-05 and 11-06, were sent to the following persons in the manner indicated:

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Dated: DEC -7 2011


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