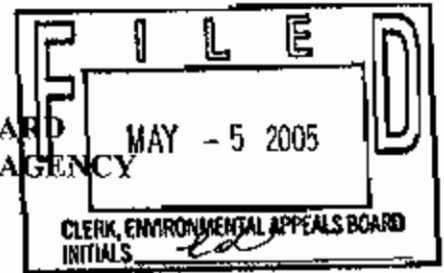


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re:	)	
	)	
Blue Plains Wastewater Treatment Plant	)	NPDES Appeal Nos. 05-01
	)	and 05-02
NPDES Permit No. DC0021199	)	

**ORDER GRANTING UNOPPOSED MOTION FOR  
SECOND EXTENSION OF TIME TO FILE RESPONSE**

On May 4, 2005, Region III of the U.S. Environmental Protection Agency filed a motion for a forty-five day extension of time to file its response to two appeals of a modified National Pollutant Discharge Elimination System permit issued to the District of Columbia Water and Sewer Authority ("WASA") for discharges from the Blue Plains Wastewater Treatment Plant. As reason for the extension, Region III states that the permit in question is the first Phase II permit EPA has issued under the 1994 Combined Sewer Overflow Control Policy and that the petitions present issues of first impression in terms of application of the Policy, particularly in light of Congress' enactment of the Wet Weather Quality Act of 2000, which requires that all CSO permits "shall conform" to the 1994 Policy.

The Region contends that it needs the additional forty-five days "for internal discussions of the complex issues presented," as well as "to determine whether there are any bases upon which to pursue settlement discussions." Motion at 1. The Region reports that it contacted counsel for petitioners WASA and Friends of the Earth/Sierra Club, and these parties do not object to the granting of this motion.

For good cause shown, Region III's motion for an extension of time to file a response is hereby **GRANTED**. The Region must file its response to the two petitions for review on or before Monday, June 27, 2005.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: May 5, 2005

By: Anna L. Wolgast  
Anna L. Wolgast  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Unopposed Motion for Second Extension of Time to File Response in the matter of Blue Plains Wastewater Treatment Plant, NPDES Appeal Nos. 05-01 and 05-02, were sent to the following persons in the manner indicated:

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Dated:           MAY - 5 2005          

  
Annette Duncan  
Secretary