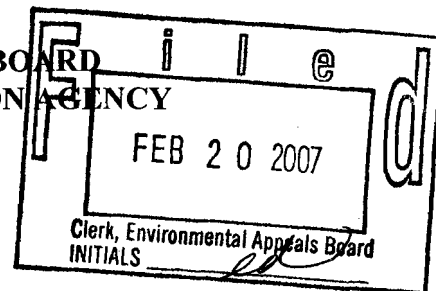


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
)
Government of the District of Columbia,)
Municipal Separate Storm Sewer System)
)
NPDES Permit No. DC0000221)
)
)

NPDES Appeal Nos. 06-07
and 06-08

**ORDER GRANTING FIFTH JOINT MOTION
FOR STAY OF PROCEEDINGS**

On February 12, 2007, all parties involved in NPDES Appeal Nos. 06-07 and 06-08 filed a joint motion for a fifth stay of the proceedings and an extension of time for EPA Region III to file a response to the petitions for review in the above-captioned case. As before, the parties seek another stay and extension of filing deadlines to facilitate settlement discussions among the parties. The parties report that they have been actively involved in settlement negotiations, having met in person or by teleconference most recently on December 11, 2006, and January 26, 2007. They state that a number of issues remain unresolved and seek more time to continue the negotiation process, which may include a formal mediation. Accordingly, the parties jointly move for an additional stay of proceedings and extension of Region III's filing obligations until April 16, 2007.

For good cause shown, the parties' joint motion for another stay of the proceedings and extension of time is hereby **GRANTED**. The Region's consolidated brief in response to the two petitions for review must now be filed with the Board on or before **Monday, April 16, 2007**.

So ordered.

Dated: February 20, 2007

ENVIRONMENTAL APPEALS BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Fifth Joint Motion for Stay of Proceedings** in the matter of Government of the District of Columbia, Municipal Separate Sewer System, NPDES Appeal Nos. 06-07 and 06-08, were sent to the following persons in the manner indicated:

By Facsimile and First Class U.S. Mail:

David E. Evans, Esq.
Darin K. Waylett, Esq.
McGuire Woods L.L.P.
One James Center
901 East Cary Street
Richmond, Virginia 23219-4030
telephone: (804) 775-4317
facsimile: (804) 698-2049

Bruce Brennan, Esq.
Assistant Deputy, Commercial Division
Office of the Attorney General for
the District of Columbia
441 4th Street, N.W.
Washington, D.C. 20001
telephone: (202) 727-6654
facsimile: (202) 727-6014

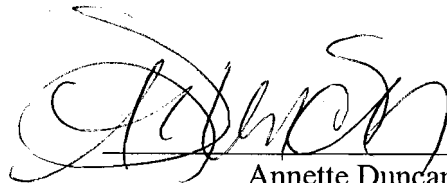
David S. Baron, Esq.
Earthjustice
1625 Massachusetts Avenue, N.W.
Suite #702
Washington, D.C. 20036-2212
telephone: (202) 667-4500
facsimile: (202) 667-2356

By Facsimile and EPA Pouch Mail:

Lori G. Kier, Esq.
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III
1650 Arch Street (3RC20)
Philadelphia, Pennsylvania 19103-2029
telephone: (215) 814-2656
facsimile: (215) 814-2603

FEB 20 2007

Dated: _____



Annette Duncan
Secretary