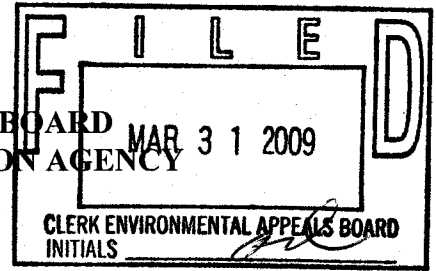


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
)
City & County of Honolulu) NPDES Appeal No. 09-01
Sand Island Wastewater Treatment Plant)
Honouliuli Wastewater Treatment Plant)
)
NPDES Permit Nos. HI0020117 & HI0020877)
)

**ORDER GRANTING MOTION TO CONSOLIDATE
AND DIRECTING RESPONSE TO PETITION FOR REVIEW**

On February 9, 2009, the City and County of Honolulu ("CCH") filed a motion to consolidate its appeals of two final NPDES permit decisions denying Clean Water Act § 301(h) variances for its Sand Island and Honouliuli wastewater treatment facilities. In conjunction with the motion to consolidate, CCH also filed a consolidated petition for review of the two permit decisions. Pursuant to a February 2, 2009 order of the Environmental Appeals Board ("Board"), on March 11, 2009, CCH filed a supplemental brief in support of its petition.

We hereby grant CCH's motion to consolidate its two appeals in one permit appeal, NPDES Appeal No. 09-01. We also hereby direct Region 9 of the U.S. Environmental Protection Agency, which issued the permit decisions to CCH on January 5 of this year, to file with the Board on or before **Thursday, April 30, 2009**, a response to the consolidated petition for review and supplemental brief.

So ordered.

Dated: March 31, 2009

ENVIRONMENTAL APPEALS BOARD

By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Motion to Consolidate and Directing Response to Petition for Review** in the matter of *City & County of Honolulu*, NPDES Appeal No. 09-01, were sent to the following persons in the manner indicated:

By Facsimile and First Class U.S. Mail:

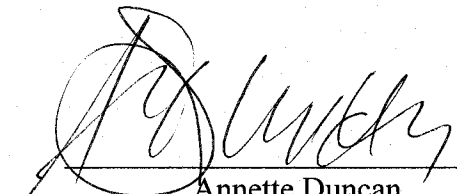
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Date: MAR 31 2009



Annette Duncan
Secretary