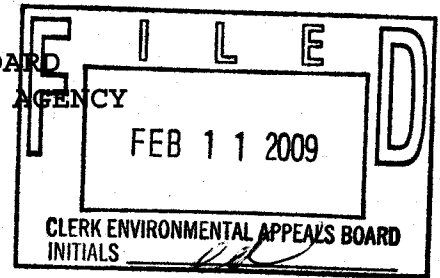


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)
)
Upper Blackstone Water)
Pollution Abatement District,) NPDES Appeal Nos. 08-11, 08-12,
) 08-13, 08-14, 08-15, 08-16,
Permit No. MA 0102369) 08-17 & 08-18
)

ORDER GRANTING CLF'S MOTION
FOR LEAVE TO FILE REPLY BRIEF

On January 27, 2009, one of the petitioners in the above captioned matter, Conservation Law Foundation ("CLF"), filed a motion requesting leave to submit to the Environmental Appeals Board ("Board") a "short reply" brief "to correct references to the record and law, or to clarify the basis of CLF's petition in response to arguments raised in Region 1's memorandum in opposition to petitions for review and in the District's petition for review as related to the proposed nitrogen and phosphorus limits." Petitioner Conservation Law Foundation's Opposition to Upper Blackstone Water Pollution District's Motion for Leave to File a Reply Brief at 2.

Upon consideration, the Board hereby grants CLF's request to file a short reply brief, not to exceed 20 pages in length.¹ The reply brief should be limited to clarifying any record or legal errors related to the nitrogen and phosphorus limits in response to the Region's memorandum in opposition to petitions for review and Upper Blackstone Water Pollution District's petition. The Board will not entertain any new arguments for review. CLF must file its reply brief no later than Monday, February 23, 2009.²

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

February 11, 2009

By:



Anna L. Wolgast
Environmental Appeals Judge

¹ The spacing, font size, and margins of the reply brief must be the same as the ones used in CLF's Opposition to Upper Blackstone Water Pollution District's Motion for Leave to File a Reply Brief, filed January 27, 2009.

² Documents are "filed" with the Board on the date they are received.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting CLF's Motion for Leave to File a Reply Brief in the matter of Upper Blackstone Water Pollution Abatement District, NPDES Appeal Nos. 08-11, 08-12, 08-13, 08-14, 08-15, 08-16, 08-17 & 08-18, were sent to the following persons in the manner indicated:

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Dated: FEB 11 2009


Annette Duncan
Secretary