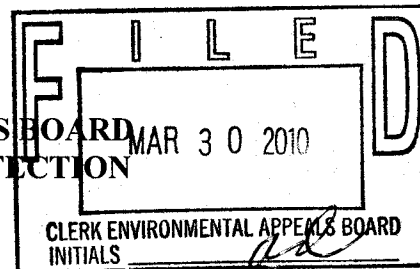


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION
WASHINGTON, D.C.



In re:)
)
San Jacinto River Authority)
)
NPDES Permit No. TX0054186)
)

NPDES Appeal No. 09-09

**ORDER GRANTING LEAVE
TO FILE BRIEF AS AMICUS CURIAE**

In a motion filed with the Environmental Appeals Board ("Board") on March 25, 2010, the National Association of Clean Water Agencies ("NACWA") requests leave to participate as an *amicus curiae* and to file a brief in the above-captioned matter. Motion of NACWA for Leave to File an Amicus Curiae Brief 1 (Mar. 25, 2010) ("Motion"). For the following reasons, the Motion is GRANTED.

NACWA states that it is "a trade association representing nearly 300 publicly owned treatment works located throughout the country, and serving the majority of the sewered population in the United States. A central function of NACWA is to represent the interests of its members in the legislative, regulatory, and litigation arenas." Motion at 2. NACWA further states that the inclusion of "WET limits to the SJRA permit could set precedent for how EPA and states address WET issues in future NPDES permit renewals and new permits in all of NACWA's members' states." *Id.* at 3. Accordingly, "NACWA believes that the perspective of the hundreds of municipalities potentially impacted by those [U.S. Environmental Protection Agency] actions would be relevant to the Board's deliberations." *Id.*

The Board concludes that NACWA's *amicus curiae* brief will not result in undue delay or in any prejudice to either party. Accordingly, the Board grants NACWA's Motion and accepts for filing the Amicus Curiae Brief of NACWA dated March 25, 2010.

So ordered.

Dated: *March 30, 2010*

ENVIRONMENTAL APPEALS BOARD

By: *[Signature]*

Kathie A. Stein

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Leave to File Brief as Amicus Curiae in *In re San Jacinto River Authority*, NPDES Appeal No. 09-09, were sent to the following persons in the manner indicated:

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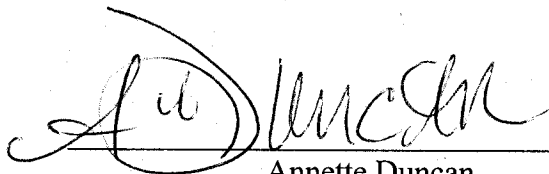
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Annette Duncan
Secretary