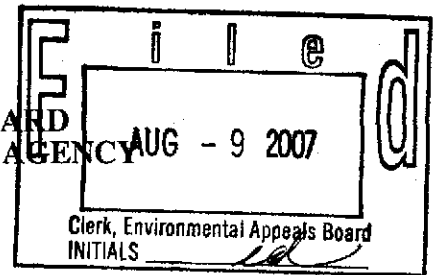


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re:

District of Columbia Water and Sewer Authority

NPDES Permit No. DC0021199

NPDES Appeal Nos. 05-02, 07-10,  
07-11, 07-12

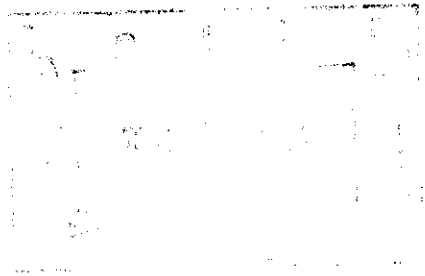
**ORDER GRANTING EXTENSION OF TIME**

By motion dated August 6, 2007, the National Association of Clean Water Agencies (“NACWA”) and the Wet Weather Partnership (“WWP”)<sup>1</sup> move for an extension of time to file a joint non-party brief in NPDES Appeal No. 05-02, until August 22, 2007.

In support of their Motion, NACWA and WWP state that they seek an extension of time to file a non-party brief to coordinate with their members on the remaining issue in the case.<sup>2</sup> Motion for Extension at 1. According to NACWA and WWP, because of the short response time and summer vacation schedules, more time is needed to coordinate the briefing. *Id.* NACWA and WWP state that counsel for the petitioner in Appeal No. 05-02, the District

<sup>1</sup> According to the Motion for Extension, the WWP was formerly known as the CSO Partnership. Motion for Extension at 1 n.1.

<sup>2</sup> As the basis for their motion, NACWA and WWP state that the Board’s July 26, 2007 Order granted leave to “fil[e] a joint non-party brief and set the date for filing as August 9, 2007.” This statement mischaracterizes the Board’s Order. Although the Board did set an August 9, 2007 deadline, the Board did not grant leave for NACWA and WWP to file a *joint* brief; the Board granted leave to file a non-party brief only to NACWA, because WWP’s original motion to participate referred only to NPDES Appeal No. 05-01, which was dismissed on August 23, 2006. See Order Granting Leave to File Non-Party Brief, Granting Leave to Reply, Consolidating Cases, and Scheduling Oral Argument (July 26, 2007) at 2 n.3. Because of NACWA’s proposal for joint briefing with WWP in its motion to file a non-party brief in Appeal Nos. 05-01 and 05-02, however, the Board, by this order, will permit NACWA to file its brief in Appeal No. 05-02 jointly with WWP.



of Columbia Water and Sewer Authority, has consented to the extension, but counsel for the respondent, U.S. Environmental Protection Agency Region 3, was unreachable and will be out of the office until August 10. *Id.*

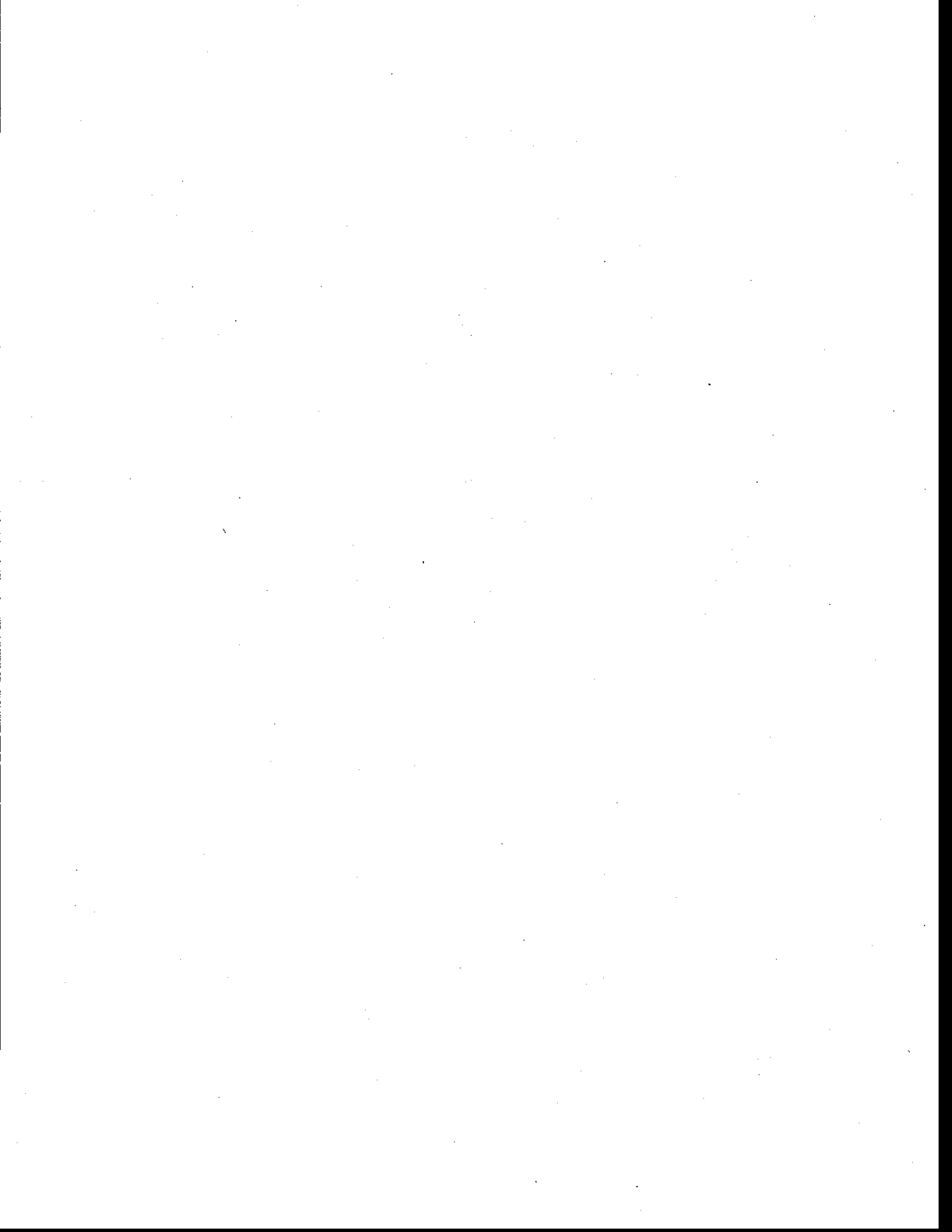
For good cause shown, the Board hereby **GRANTS** the Motion for Extension, until August 22, 2007, for NACWA and WWP to file their non-party brief in Appeal No. 05-02. As stated in the Board's July 26, 2007 Order, the brief shall be limited to the remaining legal arguments or issues raised by the parties in Appeal 05-02, relating to the lack of a compliance schedule for implementation of WASA's long-term control plan in the above-captioned permit.

So ordered.

Dated: August 9, 2007

ENVIRONMENTAL APPEALS BOARD

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



## CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Granting Extension of Time, in the matter of District of Columbia Water and Sewer Authority, NPDES Petition Nos. 05-02, 07-10, 07-11, and 07-12 were sent to the following persons in the manner indicated:

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Dated: AUG - 9 2007

  
Annette Duncan,  
Secretary

