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

GENCWAR 1 0 2006

In re:

Blue Plains Wastewater Treatment Plant

NPDES Permit No. DC0021199

NPDES Appeal Nos. 05-01 and 05-02

ORDER GRANTING UNOPPOSED MOTION FOR THIRD STAY OF PROCEEDINGS

On March 9, 2006, Region III of the U.S. Environmental Protection Agency filed with the Environmental Appeals Board a motion for a third stay of briefing in the above-captioned matter. At the present time, Region III's response to the petitions for review is due to be filed with the Board on Thursday, March 16, 2006. In its motion, Region III reports that it has made a settlement proposal, petitioners have proffered counter-proposals, and the parties are presently engaged in the process of determining whether agreement in principle can be reached. Accordingly, the Region seeks a stay of an additional sixty days in order to pursue the possibility of substantially narrowing, if not resolving, the issues that will ultimately require resolution by the Board. Region III states that it consulted with petitioner Friends of the Earth and Sierra Club and petitioner District of Columbia Water and Sewer Authority, and neither party opposes this requested extension of the stay of proceedings.

For good cause shown, Region III's motion for a stay of these proceedings is hereby **GRANTED**. The Region's brief in response to the two petitions for review must henceforth be filed with the Board on or before **Tuesday**, **May 16**, **2006**. Until that time, the Board will continue to take under advisement the pending motions of the Combined Sewer Overflow

Partnership and the National Association of Clean Water Agencies to participate and file a nonparty brief in this matter.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: March 10, 2006

By: 14-20 Wolgast Anna L.

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Unopposed Motion for Third Stay of Proceedings and Establishing Status Report Schedule in the matter of Blue Plains Wastewater Treatment Plant, NPDES Appeal Nos. 05-01 and 05-02, were sent to the following persons in the manner indicated:

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Annette Dup Secretary

Dated: