



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
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Philadelphia, Pennsylvania 19103-2023

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TO: Eurika Durr

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

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ENVIR. APPEALS BOARD

Lori G. Kier
Senior Assistant Regional Counsel

Mail Code: 3RC20
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August 9, 2007

Via Facsimile and U.S. Mail

Ms. Eureka Durr
Clerk of the Board, Environmental Appeals Board (MC 1103B)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

*In Re: Government of the District of Columbia,
Municipal Separate Storm Sewer System
Docket Nos. NPDES Appeal No. 06-07 and 06-08*

Dear Ms. Durr:

Enclosed for filing please find the original and five copies of a Joint Status Report in the above-captioned matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori G. Kier".

Lori G. Kier

cc: Jennifer C. Chavez, Esq.
David E. Evans, Esq.

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

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ENVIR. APPEALS BOARD

In Re:

Government of the District of Columbia,
Municipal Separate Storm Sewer
System

NPDES Permit No. DC 0000221

Government of the District of Columbia,

Friends of the Earth and Defenders of Wildlife,

Petitioners,

U.S. Environmental Protection Agency, Region III,

Respondent.

Appeal Number: NPDES No. 06-07

Appeal Number: NPDES No. 06-08

Joint Status Report

Pursuant to the Order of the Board dated June 13, 2007, the United States Environmental Protection Agency, Region III, hereby advises the Board of the status of the parties' settlement negotiations and the likelihood of resolving this matter short of litigation.

The parties have met twice since the June 8, 2007 status conference in this case, on July 5 and August 8, 2007. An additional conference is scheduled among the parties for August 15, 2007. Based on those meetings, as well as information exchanged among the parties to this action, all parties believe that considerable progress has been made in the settlement discussions, and that settlement is still worth pursuing. The parties are continuing to work toward reaching a

final resolution of this matter by the September 14, 2007 deadline for the Region to file a consolidated brief in response to the two petitions for review.

Respectfully submitted this 9th day of August 2007

For Petitioners:

Jennifer C. Chavez / by Lori Kier

Jennifer C. Chavez
David S. Baron
Counsel for Friends of the Earth and
Defenders of Wildlife
Earthjustice
1625 Massachusetts Ave., N.W. #702
Washington, D.C. 20036

David E. Evans / by Lori Kier

David E. Evans
Darin K. Waylett, Esq.
Counsel for the Government of the
District of Columbia
McGuire Woods, LLP
One James Center
Richmond, VA 23219

For Respondent:

Lori G. Kier

Lori G. Kier
Senior Assistant Regional Counsel
EPA Region III
1650 Arch Street
Philadelphia, PA 19103

CERTIFICATE OF SERVICE


I hereby certify that the original and five copies of the of the foregoing Joint Status Report in the matter of Government of the District of Columbia, Municipal Separate Storm Sewer System, NPDES Appeal Nos. 06-07 and 06-08, were sent to the Clerk, Environmental Appeals Board, by facsimile and first mail. In addition, I hereby certify that true and correct copies of same were faxed and mailed in the same manner to the following persons:

Jennifer C. Chavez
David S. Baron, Esq.
Earthjustice Legal Defense Fund
1625 Massachusetts Ave., N.W. #702
Washington, D.C. 20036

David E. Evans, Esq.
Darin K. Waylett, Esq.
Counsel for DC Department of Environment
McGuire Woods, LLP
One James Center
Richmond, VA 23219

Dated: _____

8/9/07


Lori G. Kier
Senior Assistant Regional Counsel
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