

RECEIVED  
U.S. E.P.A.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

2007 JUN 12 AM 9:14

ENVIR. APPEALS BOARD

June 7, 2007

Ms. Eureka Durr  
Clerk of the Board, Environmental Appeals Board  
U.S. Environmental Protection Agency  
1341 G Street N.W., Suite 600  
Washington, DC 20005

Re: Region III Response to the District of Columbia Water and Sewer Authority 's Motion for  
Leave to Intervene as a party and Request to Respond to Third party Petitioner's Petition  
for Review  
Permit Number: DC 0021199  
Appeal No. 07-12

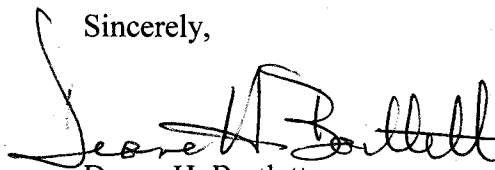
Dear Ms. Durr:

Enclosed please find one original and five copies of the above referenced document,  
which I am also serving on counsel for Petitioners in this matter.

Please contact me at 215-814-2776 if you have any questions with regard to this filing.

Thank you for your attention to this matter.

Sincerely,



Deane H. Bartlett

Senior Assistant Regional Counsel

Enclosures

cc: (with enclosures):

Stewart Leeth, Esquire

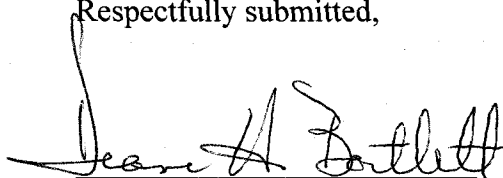
Jennifer Chavez, Esquire

Amy McDonnell, Esquire



III. D. 4, footnote 42, page 41. To the extent that WASA, as the permit applicant, seeks leave to file a response to the petition for review of Section III. Part E. of NPDES Permit No. 0021199 - Water Quality-Based Requirements for CSOs - which was filed by the Friends of the Earth and the Sierra Club, Appeal No. 07-12, the Region does not object to WASA filing a response to that petition.

Respectfully submitted,



Deane H. Bartlett  
Senior Assistant Regional Counsel  
Office of Regional Counsel  
USEPA Region III (3RC20)  
1650 Arch Street  
Philadelphia, PA 19103-2029

Date June 7, 2007

OF COUNSEL:  
Sylvia Horwitz, Esquire  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

CERTIFICATE OF SERVICE

I hereby certify that Respondent's Response to the District of Columbia Water and Sewer Authority Motion for Leave to Intervene as a Party Respondent and Request to Respond to Third Party Petitioners' Petition for Review was served on this date as set forth below:

One original and five copies were mailed by first class mail, postage prepaid to:

Ms. Eurika Durr  
Clerk of the Board, Environmental Appeals Board  
U.S. Environmental Protection Agency  
1341 G Street N.W. , Suite 600  
Washington, DC 20005

One copy each was mailed by first class mail, postage prepaid to counsel for Petitioners:

Chesapeake Bay Foundation:

Amy McDowell, Esquire  
Jon A. Mueller, Esquire  
Chesapeake Bay Foundation  
Philip Merrill Environmental Center  
6 Herndon Avenue  
Annapolis MD 21403

District of Columbia Water and Sewer Authority:

Stewart T. Leeth, Esquire  
David E. Evans, Esquire  
McGuirewoods LLP  
Washington Square  
1050 Connecticut Avenue, N. W.  
Washington, D.C. 20036-5317

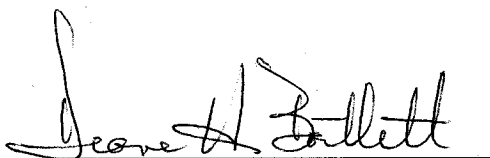
NPDES Permit DC 0021199

Response to WASA Motion to  
Intervene

Friends of the Earth and Sierra Club:

Jennifer C. Chavez, Esquire  
David Baron, Esquire  
Earthjustice Legal Defense Fund  
1625 Massachusetts Ave., NW Suite 702  
Washington, DC 20036-2212

Date: June 7, 2007



Deane H. Bartlett  
Senior Assistant Regional Counsel  
USEPA Region III  
1650 Arch Street  
Philadelphia, Pa 19103-2029  
(Tel) 215/814-2776  
(Fax) 215/814-2603