

VERMONT LAW SCHOOL

Environmental and Natural Resources Law Clinic

September 3, 2009

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

**Re: Upper Blackstone Water Pollution Abatement District
NPDES Appeal Nos. 08-11 and 08-13
NPDES Permit No. MA 0102369**

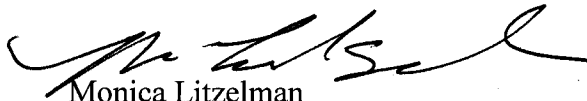
Dear Ms. Durr:

In connection with the above-docketed permit appeals, please find for filing Petitioner Conservation Law Foundation's *Notice of Counsel Presenting Oral Argument* with attached *Certificate of Service*.

Electronic copies of Conservation Law Foundation's submission will also be filed via the CDX filing system.

Thank you for your assistance in this matter.

Sincerely,



Monica Litzelman
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Vermont Law School
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enclosures

cc: Recipients listed on enclosed Certificate of Service

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

ENVIRONMENTAL APPEALS BOARD
08-11-16-22
JST/ELM

In re:)	
)	
Upper Blackstone)	
Water Pollution Abatement District)	NPDES Appeal No. 08-11 and 08-13
NPDES Permit No. MA0102369)	
)	
)	

NOTICE OF COUNSEL PRESENTING ORAL ARGUMENT

In connection with the above referenced appeal, and in accordance with the Board's Order Scheduling Oral Argument (August 6, 2009), Conservation Law Foundation (CLF) hereby provides notice that Christopher M. Kilian and David K. Mears will represent CLF before the Board in person at oral argument on September 16, 2009.

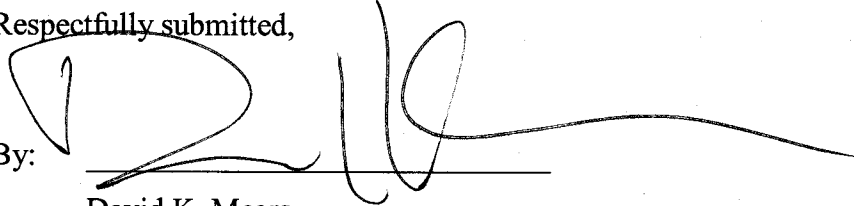
Counsel for CLF, the Upper Blackstone Water Pollution Abatement District, and EPA Region 1 discussed settlement possibilities via teleconference on August 28, 2009. During this conversation the parties were not able to reach a settlement and the decision was made to proceed with argument.

The Environmental and Natural Resources Law Clinic has contacted the Clerk of the Board and is making arrangements for student clinicians to observe the argument via video conference from Vermont Law School.

Dated: September 3, 2009
South Royalton, Vermont

Respectfully submitted,

By:



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CERTIFICATE OF SERVICE

I, David K. Mears, hereby certify that copies of the forgoing *Notice of Counsel Presenting Oral Argument*, in connection with the NPDES Appeal Numbers 08-11 and 08-13, were sent to the following recipients by U.S. First Class Mail Postage Prepaid:

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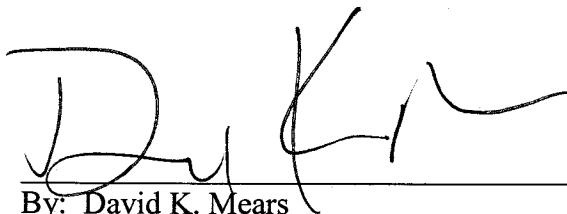
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Dated September 3, 2009



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