



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

ENVIRONMENTAL APPEALS BOARD

JAN 25 2005

Mr. William Early, Regional Counsel  
Office of Regional Counsel  
U.S. EPA, Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029

Re: Blue Plains Advanced Wastewater  
Treatment Plant  
Permit Number: DC0021199  
Appeal Number: NPDES 05-01

Dear Mr. Early:

Enclosed is a petition dated January 18, 2005 (received by the Environmental Appeals Board on January 18, 2005), filed by David S. Baron, Attorney, of Earthjustice on behalf of the Friends of the Earth and Sierra Club, asking the Environmental Appeals Board to review the permit issued by the U.S. Environmental Protection Agency, Region 3 in this case.

To assist the Environmental Appeals Board in deciding whether the matters raised by petitioners should be reviewed, please have your staff prepare a response that addresses the petitioners's contentions and whether petitioners have satisfied the requirements for obtaining review under 40 C.F.R. §124.19(a). Include relevant portions of the administrative record with the response, together with a certified index of the entire administrative record. Please file an original (signed in blue ink) and five copies of these materials no later than March 14, 2005, and send a copy of the response and the certified index to petitioner with a certificate of service showing the date and method of service.

All documents, including the materials due March 14, 2005, must reference the appeal number. **IMPORTANT:** In addition, any envelope or other packaging containing documents sent to the Environmental Appeals Board's mailing address or hand-delivery

address, as prescribed below, must bear a complete and accurate return address in the upper left hand corner. The envelope or packaging must also clearly state the case name and appeal number in the lower left hand corner.

**Mailing and Hand Delivery Instructions<sup>1</sup>**

All documents that are sent through the U.S. Postal Service (except by Express Mail) **MUST** be addressed to the Environmental Appeals Board's mailing address which is:

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

Documents that are sent to the Environmental Appeals Board's hand-delivery address (below) through the U.S. Postal Service (except by Express Mail) will be returned to the sender and shall not be considered as filed.

Documents that are hand-carried in person, delivered via courier, mailed by Express Mail, or delivered by a non-U.S. Postal Service carrier (e.g., Federal Express or UPS) **MUST** be delivered to:

U.S. Environmental Protection Agency  
Clerk of the Board  
Environmental Appeals Board  
1341 G Street N.W. Suite 600  
Washington, D.C. 20005

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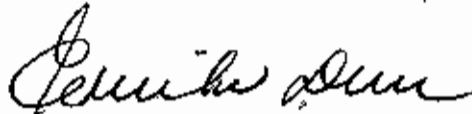
<sup>1</sup> The Environmental Protection Agency is experiencing delays in delivery of mail from the U.S. Postal Service. These delays are due to a new sterilization procedure applied to all U.S. Postal Service mail delivered to the federal government. Parties are encouraged to utilize non-U.S. Postal Service carriers and the Board's hand-delivery address when filing time-sensitive pleadings with the Board. Additional information regarding mail delivery to the Board is available on the Environmental Appeals Board website ([www.epa.gov/eab](http://www.epa.gov/eab)) at Frequently Asked Questions.

Documents that are hand-carried may be delivered to the Clerk of the Board from 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m., Monday through Friday (excluding federal holidays).

A copy of this letter is being sent to the petitioners as notification of these filing requirements.

Thank you for your attention to these matters.

Sincerely,



Eurika Durr  
Clerk of the Board

Enclosure

cc: w/o encl: David S. Baron  
Earthjustice  
1625 Massachusetts Avenue, N.W., #702  
Washington, D.C. 20036

w/encl: Jon Capacasa, Director  
Water Protection Division  
U.S. EPA, Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029

Jerry N. Johnson, General Manager  
District of Columbia Water and Sewer Authority  
5000 Overlook Avenue S. W.  
Washington, D.C. 20032



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CONCURRENCES

SYMBOL						
SURNAME	<i>Edgar</i>					
DATE	<i>1/24/05</i>	<i>1/24/05</i>				



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1625 Massachusetts Avenue, N.W., #702  
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