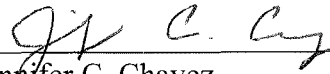


its Order, that dismissal of their petition due to the Region's withdrawal of the challenged provisions does not constitute a decision on the merits, and does not prejudice their right to petition for review of the re-issued permit modification.

Respectfully submitted this 2nd day of November, 2007.

For Petitioners:



Jennifer C. Chavez

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CERTIFICATE OF SERVICE

I hereby certify that on the date noted below I submitted the foregoing "Response of Petitioners Friends of the Earth and Defenders of Wildlife to EPA Notice of Withdrawal of Permit Amendment and Motion for Dismissal With Prejudice" in *In re. Government of the District of Columbia Municipal Separate Storm Sewer System, NPDES permit No. DC 0000221*, NPDES Appeal Nos. 06-07 and 06-08, to the Clerk of the Environmental Appeals Board electronically via the EAB's CDX system, and by U.S. Mail:

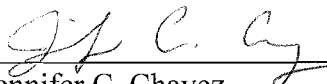
Eurika Durr
Clerk of the Board
U.S. EPA
Environmental Appeals Board 1103(B)
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

In addition, I hereby certify that on the date noted below I sent true and correct copies of the same via e-mail and first class U.S. Mail to the following persons:

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Date: Nov. 2, 2007



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