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ENVIR. APPEALS BOARD

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August 6, 2007

Overnight Mail

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

Re: NPDES Permit Appeal Nos. 05-02, 07-10, 07-11, 07-12  
District of Columbia Water and Sewer Authority  
Permit No. DC0021199

Dear Ms. Durr:

Enclosed please find the original of the Motion for Extension of Time by the National Association of Clean Water Agencies and the Wet Weather Partnership to File a Non-Party Brief in Appeal No. 05-02.

Please contact me at 804-716-9021 or by e-mail at [john@aqualaw.com](mailto:john@aqualaw.com) if you have any questions about this filing.

Thank you for your assistance.

Sincerely,

John A. Sheehan

Enclosure



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

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ENVIR. APPEALS BOARD

In re: )

DISTRICT OF COLUMBIA WATER )  
AND SEWER AUTHORITY )

NPDES Permit No. DC0021199 )

) NPDES Permit Appeal Nos. 05-02,  
) 07-10, 07-11,07-12  
)  
)  
)

**MOTION FOR EXTENSION OF TIME BY NACWA AND THE WET WEATHER  
PARTNERSHIP TO FILE NON-PARTY BRIEF IN APPEAL NO. 05-02**

The National Association of Clean Water Agencies (“NACWA”) and the Wet Weather Partnership (“WWP”) move for an extension of time to file their joint non-party brief in Appeal No. 05-02. The Order of the Environmental Appeals Board (EAB) on July 26, 2007, granted the motion for filing a joint non-party brief and set the date for filing as August 9, 2007.<sup>1</sup> NACWA and the WWP seek an extension of time to coordinate with their members on the important remaining issue in this case. Because of the short response time and summer vacation schedules, more time is needed to coordinate the briefing on this issue.

Counsel for NACWA and the WWP contacted counsel for the District of Columbia Water and Sewer Authority (“WASA”) and attempted to contact counsel for EPA regarding this extension. WASA consented to this extension. EPA’s counsel, Deane Bartlett, was out of the office and her voice-mail message stated that she would be out from August 3-10.

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<sup>1</sup> The EAB Order of July 26, 2007 granted NACWA’s motion filed on May 13, 2005, to file a joint non-party brief with the CSO Partnership, now the Wet Weather Partnership.



The response date set by the Board's Order is August 9, 2007. NAWCA and the WWP respectfully move for an extension of time to file the non-party brief until August 22, 2007. This extension will not delay any of the proceeding in the case.

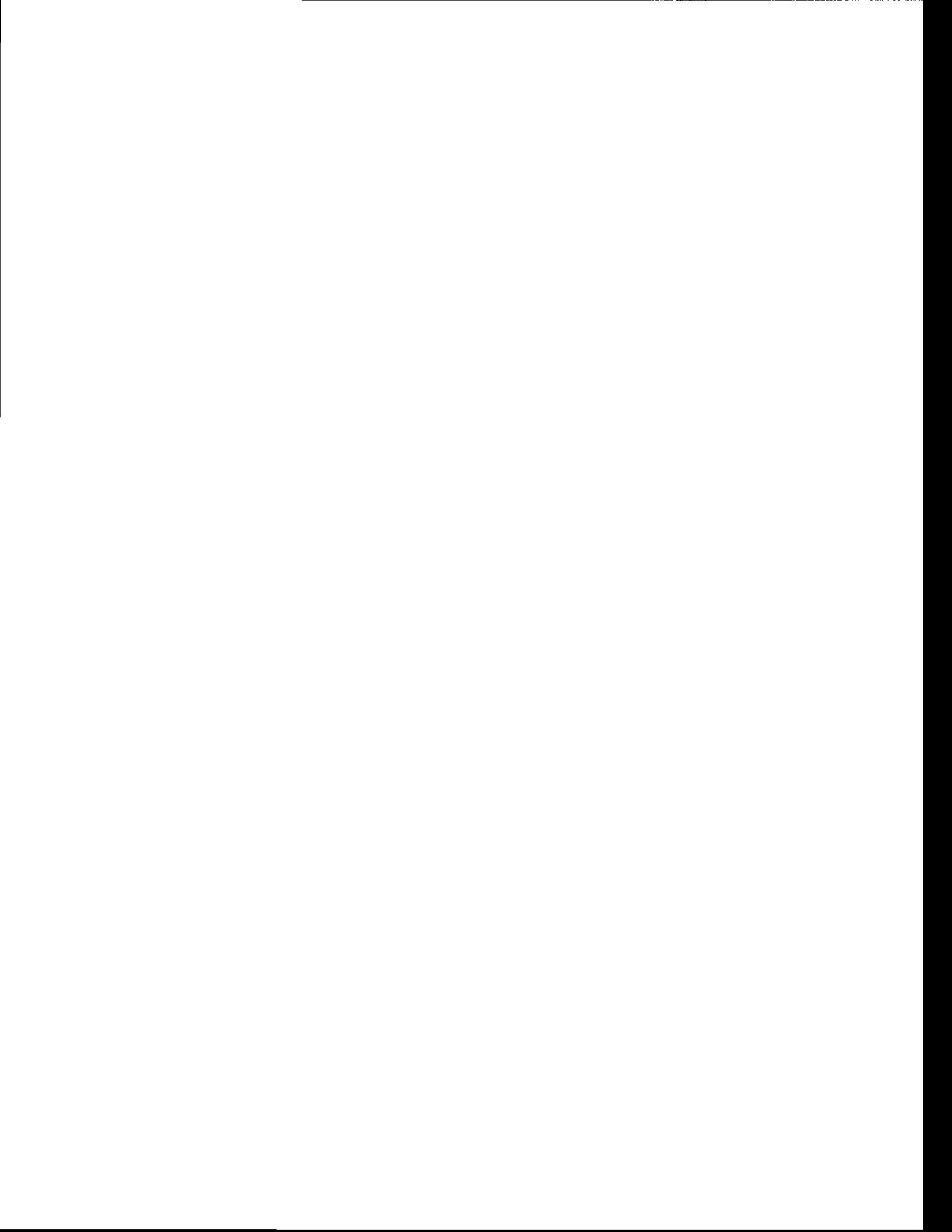
Respectfully submitted

A handwritten signature in black ink, appearing to read 'John A. Sheehan', is written over a horizontal line. The signature is somewhat stylized and overlaps the text below it.

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Wet Weather Partnership

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**CERTIFICATE OF SERVICE**

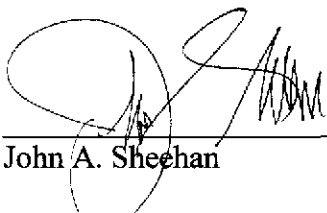
I hereby certify that a copy of the foregoing Motion for Extension of Time by the National Association of Clean Water Agencies ("NACWA") and the Wet Weather Partnership to file a Non-Party Brief in Appeal No. 05-02 filed electronically with the Environmental Appeals Board and was served by regular first class U.S. Mail, postage prepaid, this 6th day of August, 2007, upon the following:

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