

# BARNES & THORNBURG LLP

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June 1, 2010

United States Environmental Protection Agency  
Clerk of the Board  
Environmental Appeals Board  
Colorado Building  
1341 G Street N.W., Suite 600  
Washington, DC 20005

*RE: Designation of Counsel to Present Argument on Behalf of the National Association of Clean Water Agencies (NACWA) - NPDES Appeal No. 09-09*

Clerk of the Board:

On May 11, 2010, the Environmental Appeals Board ("Board") issued an Order Rescheduling Oral Argument and Granting NACWA's Motion for Leave to File Amicus Curiae Reply Brief ("Order"), in the matter of *In Re: San Jacinto River Authority NPDES Permit No. TX0054186*, NPDES Appeal No. 09-09. The oral argument was rescheduled to June 7, 2010 with thirty (30) minutes allotted argument time each to the San Jacinto River Authority ("SJRA") and the U.S. Environmental Protection Agency Region VI ("Region 6"). The Order indicated that Appellant SJRA could cede five minutes of its allotted oral argument time to NACWA at the outset of the proceedings on June 7, 2010.

Consistent with the Order, SJRA has agreed to cede five (5) minutes of its allotted thirty (30) minutes to NACWA. Mr. Fredric P. Andes, Partner, Barnes & Thornburg LLP, will present any and all oral argument in this matter on behalf of NACWA. Mr. Andes will appear in person.

Sincerely,

BARNES & THORNBURG LLP

  
Nathan A. Stokes

CC: Lauren Kalisek, Esq. (via facsimile)  
Thomas Gillespie, Esq. (via facsimile)  
Stephen Sweeney, Esq. (via facsimile)