

Earthjustice
1625 Massachusetts Avenue, N.W.
Suite 702
Washington, D.C. 20036

Natural Resources Defense Council
1152 15th Street, N.W.
Suite 300
Washington, D.C. 20005

December 20, 2011

Via electronic submission

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

Re: *In re. District of Columbia, Municipal Separate Storm Sewer System Permit No. DC0000221, Appeal No. NPDES 11-06*


Dear Ms. Durr:

Friends of the Earth, Anacostia Riverkeeper, Potomac Riverkeeper, and Natural Resources Defense Council (collectively "Environmental Petitioners") hereby respectfully respond to your letter dated November 9, 2011 to the parties in the above-referenced matter, requesting a statement of the parties' interest in participating in Alternative Dispute Resolution ("ADR").

On November 30 the Board entered an order extending the time for the Environmental Petitioners to submit a response as to whether they would like to participate in ADR until December 22, 2011 (Dkt. 15, Judge McCabe).

The Environmental Petitioners hereby respectfully inform the Board that they consent to participate in the Board's ADR program.

Sincerely,



Jennifer C. Chavez
Attorney for Friends of the Earth, Anacostia Riverkeeper, and Potomac Riverkeeper

Rebecca J. Hammer
Attorney for Natural Resources Defense Council

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing letter to the Clerk regarding ADR in *In re. District of Columbia, Municipal Separate Storm Sewer System Permit No. DC0000221*, Appeal No. NPDES 11-06, were sent to the following persons via First Class U.S. Mail:

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Amy E. McDonnell
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Office of the Attorney General
District Department of the Environment
1200 First Street, NE, Seventh Floor
Washington, DC 20002

Dated: December 20, 2011



Jennifer C. Chavez