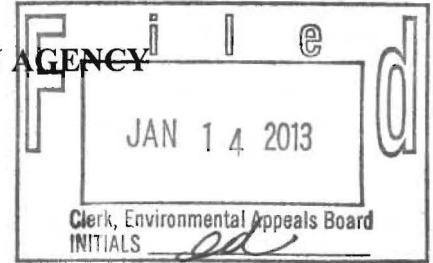


**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)
)
Government of the District of Columbia,)
Municipal Separate Storm Sewer System)
)
NPDES Permit No. DC 0000221)
)

NPDES Appeal No. 11-05

ORDER DISMISSING PETITION FOR REVIEW

On January 11, 2013, petitioners District of Columbia Water and Sewer Authority (“DC Water”) and Wet Weather Partnership (collectively, “Petitioners”), who jointly filed a petition for review in the above-captioned matter, and the Government of the District of Columbia through the District Department of the Environment (“District Government”) together filed a Joint Stipulation of Dismissal with Prejudice requesting that the Environmental Appeals Board (“Board”) dismiss with prejudice the petition for review in the above-captioned matter. Joint Stipulation of Dismissal With Prejudice (Jan. 11, 2013).

On January 11, 2013, DC Water and the District Government executed a Settlement Agreement that allocates responsibility under the municipal separate storm sewer system (“MS4”) permit and resolves the issues raised in the petition for review. Both DC Water and the District Government consider the agreement “to be a just, fair, and equitable resolution of the claims raised” in the petition for review. *Id.* at 1.

Petitioners now request that the Board dismiss their petition for review with prejudice pursuant to the terms of the Settlement Agreement. *Id.* at 2. Region 3 of the U.S. Environmental Protection Agency, who issued the MS4 permit, does not oppose the Joint Stipulation of

Dismissal with Prejudice or Petitioners' request for dismissal with prejudice. *Id.*

Upon consideration, the Board hereby dismisses the petition for review in the above-captioned matter with prejudice.

So ordered.

Dated: *January 14, 2013*

Catherine R. McCabe

Catherine R. McCabe
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of Government of the District of Columbia, Municipal Separate Storm Sewer System, NPDES Appeal No. 11-05, were sent to the following persons in the manner indicated:

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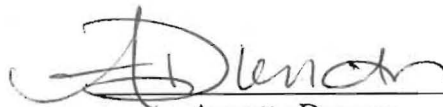
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Annette Duncan
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