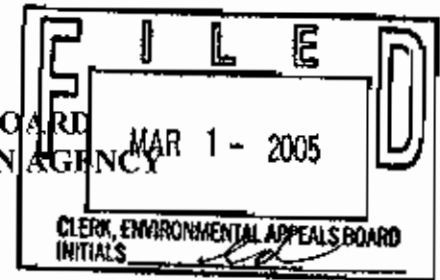


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**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:

Blue Plains Wastewater Treatment Plant

NPDES Permit No. DC0021199

NPDES Appeal Nos 05-01
and 05-02

**ORDER GRANTING MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE AND TAKING MOTION TO FILE
NON-PARTY BRIEF UNDER ADVISEMENT**

On February 28, 2005, Region III of the U.S. Environmental Protection Agency filed a motion for a sixty-day extension of time to file its response to two appeals of a modified National Pollutant Discharge Elimination System permit issued to the District of Columbia Water and Sewer Authority ("WASA") for discharges from the Blue Plains Wastewater Treatment Plant. As reason for the extension, Region III states, among other things, that the permit in question is the "first Phase II permit EPA has issued under the 1994 Combined Sewer Overflow Control Policy and involves issues of first impression in terms of application of the Policy." Motion at 2. The Region also reports that it contacted counsel for petitioners WASA and Friends of the Earth/Sierra Club, and these parties do not object to the granting of this motion.

For good cause shown, Region III's motion for an extension of time to file a response is hereby **GRANTED**. The Region must file its response to the two petitions for review on or before Friday, May 13, 2005.

In addition, on February 25, 2005, the Combined Sewer Overflow Partnership, a national organization that describes itself as being dedicated to representing the interests of communities with combined sewer systems, filed a motion pursuant to 40 C.F.R. § 22.11(b) for leave to file a non-party brief in this case. At this juncture, the Environmental Appeals Board hereby takes that motion under advisement and will rule on it after the Region III response is received.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: 3/1/05

By: 

Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Extension of Time to File Response and Taking Motion to File Non-Party Brief Under Advisement in the matter of Blue Plains Wastewater Treatment Plant, NPDES Appeal Nos. 05-01 and 05-02, were sent to the following persons in the manner indicated:

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Dated: MAR - 1 2005


Annette Duncan
Secretary