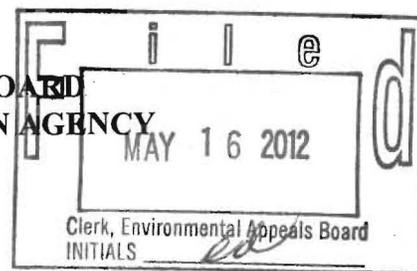


**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**



In re: )

Government of the District of Columbia, )  
Municipal Separate Storm Sewer System )

NPDES Permit No. DC0000221 )  
\_\_\_\_\_ )

NPDES Appeal No. 11-05

**ORDER ESTABLISHING DEADLINE FOR RESPONSES**

On December 22, 2011, the Environmental Appeals Board (“Board”) issued an order staying the proceedings in the above-captioned appeal, NPDES Appeal Number 11-05, and in NPDES Appeal Number 11-06 to allow the parties to participate in the Board’s Alternative Dispute Resolution (“ADR”) program. *See generally* Order Staying Proceedings, in Part, to Allow Parties to Participate in Pilot ADR Program. Both appeals involve challenges to the same NPDES permit issued by United States Environmental Protection Agency Region 3 (“Region”) to the Government of the District of Columbia. The Board, in the December 11 Order, stayed the deadline for the Region to file a certified index of the administrative record, a response to the petitions for review, and copies of the relevant portions of the administrative record. *Id.* at 2.

On May 8, 2012, the Board lifted the stay of the proceedings in NPDES Appeal Number 11-05. *See generally* Order Continuing Stay of Proceedings in NPDES Appeal No. 11-06 and Lifting Stay in NPDES Appeal No. 11-05. Accordingly, the Region is hereby DIRECTED to file a response to the petition for review in NPDES Appeal Number 11-05, including copies of the relevant portions of the administrative record, together with a certified index of the

administrative record on or before Monday, June 11, 2012. The District Department of the Environment (“DDOE”), which the Board granted leave to intervene by Order of February 2, 2012, may also file a response to the petition for review in NPDES Appeal Number 11-05. DDOE’s response is due on or before the same date as the Region’s response.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Date:

*May 16, 2012*



Catherine R. McCabe  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order Establishing Deadline for Responses in the matter of the Government of the District of Columbia, NPDES Appeal No. 11-05, were sent to the following persons in the manner indicated:

**By Pouch Mail:**

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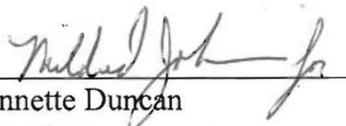
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Dated: **MAY 16 2012**

  
Annette Duncan  
Secretary