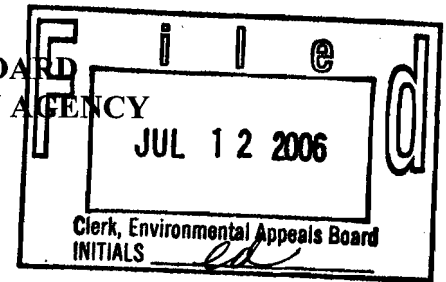


**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:

Blue Plains Wastewater Treatment Plant

NPDES Permit No. DC0021199

NPDES Appeal Nos. 05-01
and 05-02

**ORDER GRANTING UNOPPOSED MOTION
FOR FIFTH STAY OF PROCEEDINGS**

On July 11, 2006, Region III of the U.S. Environmental Protection Agency filed with the Environmental Appeals Board a motion for a fifth stay of briefing in the above-captioned matter. At the present time, Region III's response to the petitions for review is due to be filed with the Board on Monday, July 17, 2006. In its motion, Region III reports that the parties have been working on draft permit and fact sheet language related to the specific issues on appeal, continuing their efforts to determine whether a settlement can be reached. Accordingly, the Region seeks a stay of an additional thirty days in order to pursue the possibility of substantially narrowing, if not resolving, the issues that will ultimately require resolution by the Board. Region III states that it consulted with petitioner Friends of the Earth and Sierra Club and petitioner District of Columbia Water and Sewer Authority, and neither party opposes this requested extension of the stay of proceedings.

For good cause shown, Region III's motion for a stay of these proceedings is hereby **GRANTED**. The Region's brief in response to the two petitions for review must henceforth be filed with the Board on or before **Thursday, August 17, 2006**. Until that time, the Board will continue to take under advisement the pending motions of the Combined Sewer Overflow

Partnership and the National Association of Clean Water Agencies to participate and file a non-party brief in this matter.

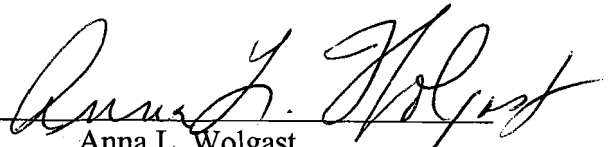
So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

July 12, 2006

By:


Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Unopposed Motion for Fifth Stay of Proceedings** 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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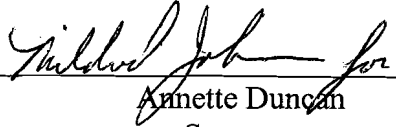
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Dated: JUL 12 2006


Annette Duncan
Secretary