

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

_____)
In re:)
)
Government of the District of Columbia,) NPDES Permit Appeal No. 11-05
Municipal Separate Storm Sewer System,)
NPDES Permit No. DC 0000221)
_____)

**[PROPOSED] ORDER GRANTING CITIZEN PETITIONERS LEAVE TO INTERVENE
AND TO FILE A RESPONSE TO DC WATER AND WWP’S APPEAL**

Friends of the Earth, Anacostia Riverkeeper, Inc., Potomac Riverkeeper Inc., and Natural Resources Defense Council, Inc. (collectively, “Citizen Petitioners”) have filed a Motion For Leave to Intervene and to Respond to the petition for review filed by the DC Water and Sewer Authority (“DC Water”) and the Wet Weather Partnership (“WWP”), NPDES Appeal No. 11-05. Along with their Motion, Citizen Petitioners lodged an attached Brief in Response to DC Water and WWP’s appeal.

For the reasons stated in the Citizen Petitioners’ motion, the motion is hereby GRANTED, and the Citizen Petitioners are granted leave to intervene in this appeal, to file a response to DC Water and WWP’s petition for review, and to participate in oral arguments scheduled in this case. It is further ORDERED that the Clerk of the Board file the brief lodged with the Citizen Petitioners’ Motion.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: _____

By: _____
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing “Motion for Leave to Intervene and to Respond to the DC Water and Sewer Authority and Wet Weather Partnership’s Petition for Review,” the attached “[Proposed] Order Granting Citizen Petitioners Leave to Intervene and to File a Response to DC Water and WWP’s Appeal,” and the attached “Brief of Friends of the Earth, Anacostia Riverkeeper, Inc., Potomac Riverkeeper, Inc., and Natural Resources Defense Council Inc., in Response to the Petition of DC Water and Sewer Authority and the Wet Weather Partnership,” were sent to the following persons via First Class U.S. Mail:

Kelly A. Gable
Assistant Regional Counsel
U.S. EPA Region 3
1650 Arch Street (3RC20)
Philadelphia, PA 19103-2029

F. Paul Calamita
Carla S. Pool
AquaLaw, PLC
6 South 5th Street
Richmond, VA 23219

Irvin B. Nathan
Attorney General for the District of Columbia
441 4th Street, NW
Washington, D.C. 20001

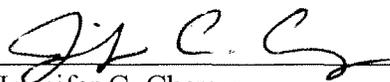
Randy Hayman
General Counsel
Dist. of Columbia Water and Sewer Authority
5000 Overlook Avenue, SW
Washington, DC 20032

Ellen Efros
Assistant Deputy AG
Civil Litigation Division
441 4th Street, NW, Suite 600 South
Washington, D.C. 20001

Gregory Hope
Principal Counsel
Dist. of Columbia Water and Sewer Authority
5000 Overlook Avenue, SW
Washington, DC 20032

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

Dated: July 6, 2012


Jennifer C. Chavez