

supportive of the goals and objectives of AMSA


AMSA has been an advocate in the development and implementation of scientifically based, technically sound, and cost-effective environmental programs. For this reason, AMSA is dedicated to providing its members with the tools and information needed to help achieve national water quality goals and standards. AMSA's members work together to participate in the legislative and regulatory process at the local, state, and national levels.

AMSA has an interest in this case in that AMSA's members also include point source dischargers permitted to discharge treated effluents under the Federal Water Pollution Control Act's National Pollutant Discharge Elimination System ("NPDES") codified at 33 U.S.C. § 1342 *et seq.* The Board is a member of AMSA. As NPDES permit holders, AMSA's members will be affected directly by the resolution of this case. AMSA's other members who are NPDES permit holders, like the Board, face similar requirements with regards to the monitoring and reporting of effluent discharges pursuant to the terms of their individual NPDES permits, the Code of Federal Regulations, and the instructions promulgated by the Environmental Protection Agency and state regulatory agencies. In particular, if this Court determines that the Board violated the monitoring and reporting requirements of its permit by under-reporting or failing to properly report the effluent discharges, when the Board complied with the terms of the permit, the instructions provided with the Discharge Monitoring Reports ("DMRs"), and EPA's guidance, this Court will, in effect, have abrogated the entire monitoring and reporting procedures followed by every NPDES permit holder. Such a determination by this Court could expose the Board and other AMSA members who are NPDES permit holders to potential civil and criminal penalties.

WHEREFORE, the Association of Metropolitan Sewerage Agencies respectfully requests

that this Court grant it leave to file the accompanying brief in this case as *amicus curiae*.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on the following by mailing a copy of same by United States Mail, properly addressed and first class postage prepaid, on this the 18th day of December, 2000:

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