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March 6, 2007

Judy Greer, Clerk
Environmental Hearings Office
Washington State Pollution Control Hearings Board
4225 Sixth Ave. SE, Rowe Six, Bldg. 2
Lacey, WA 98504-0903

RE: Phase I Municipal Stormwater Permit, PCHB case: Port of Seattle, Appellant v. Department of Ecology, # 07-028

To the Clerk of the Board:

On behalf of the Port of Tacoma, we are enclosing for consideration by the Board the original and one copy of the following:

1. Port of Tacoma's Petition to Intervene
2. Declaration of Susan Mauermann, the Port of Tacoma' Director of Environmental Programs in support of the Port of Tacoma's Petition to Intervene
3. Declaration of Service

The Port of Tacoma is one of the two identified Port Secondary Permittees under the Phase I Municipal Stormwater Permit that is on appeal. Port of Tacoma requests that this Petition be filed in the above captioned appeal. Port of Tacoma requests that this Petition to Intervene be decided on the Port's written submissions, unless the matter is contested. If contested, the Port of Tacoma reserves the right to request that oral argument occur during the Pre-hearing Conference (if the matters are consolidated) or in each Pre-hearing Conference (if the matters are not consolidated).

I have contacted the parties/intervenors to this appeal and the majority have stated that they do not oppose intervention so long as Port of Tacoma does not seek to raise new legal grounds for appeal that were not raised in the seven notices of appeal that have been filed in PCHB Nos. 07-021, 07-026, 07-27, 07-028, 07-029, 07-030, and 07-37. Port of Tacoma concurs with this condition

I can be reached directly at (253) 779-4000 for any questions. Thank you for your assistance.

Sincerely,

Goodstein Law Group PLLC

Carolyn A. Lake
Enclosures
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DEPARTMENT OF ECOLOGY
OFFICE OF DIRECTOR

cc: Robert Goodstein, POT General Counsel
Susan Maurmann, POT
Dr Cindy Linn PE, POT
Susan Ridgley, POS
Mary Sue Wilson, DOE
Ronald Lavigne, DOE