

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

)	
In re:)	
)	NPDES Appeal Nos. 20-08 & 20-09
Ocean Era, Inc. – Velella Epsilon Facility)	
)	
NPDES Permit No. FL0A00001)	
)	

**ORDER RESCHEDULING ORAL ARGUMENT AND DIRECTING PARTIES
 TO FILE NOTICE OF PARTICIPATION**

On August 10, 2021, the Environmental Appeals Board (“Board”) issued an order administratively consolidating the two petitions for review in the above-captioned matter for purposes of oral argument and decision, and scheduling oral argument by videoconference on Thursday, November 4, 2021, beginning at 1:30 p.m. Eastern time.

This Order reschedules the oral argument for **Thursday, December 9, 2021**, beginning at **1:30 p.m.** Eastern time. The Board will allocate two hours for oral argument, divided as follows and in the following order:

- Thirty (30) minutes for Petitioner Friends of Animals
- Thirty (30) minutes for Petitioner Center for Food Safety
- Sixty (60) minutes for U.S. Environmental Protection Agency, Region 4

Each petitioner may reserve up to ten (10) minutes of their 30-minute time allocation for rebuttal.

The Board directs each party to file a “Notice of Participation” on or before **Monday, November 1, 2021**, providing the name and contact information for the individual(s) who will present argument on its behalf. The Clerk of the Board will contact the parties in advance of the argument to provide further information regarding logistics and to schedule a videoconference

approximately one week before the oral argument to identify and resolve any potential technical issues. Approximately forty-eight (48) hours prior to the oral argument, the Clerk of the Board will post a link on the Board's website that will allow members of the public to view the oral argument (www.epa.gov/eab, click on Upcoming Oral Arguments tab).

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: September 14, 2021

By: 
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Order Rescheduling Oral Argument and Directing Parties to File Notice of Participation* in the matter of Ocean Era, Inc. – Velella Epsilon Facility, NPDES Appeal Nos. 20-08 and 20-09, were sent to the following persons in the manner indicated:

By Email:

For EPA:

Paul Schwartz
U.S. EPA Region 4
Office of Regional Counsel
61 Forsyth St., NW
Atlanta, GA 30303
Schwartz.Paul@epa.gov
Tel. (404) 562-9576

Elise M. O’Dea
Tracy L. Sheppard
Stephen J. Sweeney
U.S. EPA Office of General Counsel
Mail Code: 2310A
1200 Pennsylvania Ave., NW
Washington, DC 20460
O’Dea.Elise@epa.gov
Sheppard.Tracy@epa.gov
Sweeney.Stephen@epa.gov
Tel: (202) 564-5488

For Friends of Animals:

Jennifer Best
Adam Kreger
Friends of Animals
7500 E. Arapahoe Rd., Ste. 385
Centennial, CO 80112
jennifer@friendsofanimals.org
adam.kreger@friendsofanimals.org
Tel. (720) 949-7791

For Center for Food Safety:

Meredith Stevenson
Sylvia Shih-Yau Wu
Center for Food Safety
303 Sacramento Street, 2nd Floor
San Francisco, CA 94111
swu@centerforfoodsafety.org
mstevenson@centerforfoodsafety.org
Tel: (415) 826-2770

For Ocean Era, Inc.:

Neil Anthony Sims
Ocean Era, Inc.
P.O. Box 4239
Kailua-Kona, HI 96745
neil@ocean-era.com
Tel: (808) 989-2438

Dated: Sep 14, 2021

Emilio Cortes

Emilio Cortes
Clerk of the Board