



FILED
Jul 18, 2024
1:45 pm
U.S. EPA REGION IX
HEARING CLERK

REGION 9

SAN FRANCISCO, CA 94105

In the Matter of:)
)
NSHE HI Narcissus, LLC,)
Kahuku, Hawaii,) Docket No. UIC-09-2022-0058
)
Respondent.)

THIRD PREHEARING ORDER

On June 17, 2024, Leann Jensen, the Region 10 Regional Judicial Officer serving as the mediation official in this matter, informed me the parties will be participating in a mediation session on **August 8, 2024**. Due to scheduling conflicts, the mediation session will be taking place later than I originally thought when I issued the hearing dates set forth in my Second Prehearing Order. Therefore, I am setting new hearing dates to allow myself and the parties sufficient time to prepare for the hearing in the event this matter does not settle during the upcoming mediation session.

MOTION IN LIMINE

The parties must file their motions in limine with the Region 9 Regional Hearing Clerk, at r9hearingclerk@epa.gov, by **Wednesday, August 21, 2024**.

PREHEARING CONFERENCE

A prehearing conference is scheduled for **Tuesday, September 10, 2024, at 1:00 p.m. (PDT) / 10:00 a.m. (HST)**. I will provide the parties my rulings on the motions in limine and discuss other evidentiary issues regarding witnesses and hearing exhibits.

HEARING

The penalty hearing is scheduled for **Tuesday, October 8, 2024, at 1:00 p.m. (PDT) / 10:00 a.m. (HST)** and **Wednesday, October 9, 2024, at 1:00 p.m. (PDT) / 10:00 a.m. (HST)**. The hearing will be conducted as a video conference. Region 9's Regional Hearing Clerk shall provide the parties with instruction on how to access the video conference.

STEVEN
JAWGIEL Digitally signed by
STEVEN JAWGIEL
Date: 2024.07.18
13:12:24 -07'00'

Steven L. Jawgiel
Regional Judicial Officer
U.S. EPA, Region IX

CERTIFICATE OF SERVICE

This is to certify a true and correct copy of the Third Prehearing Order in In the Matter of NSHE HI Narcissus, LLC (UIC-09-2022-0058) was sent to the following parties via electronic mail, as indicated below:

COMPLAINANT:

Kimberly Y. Wells
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RESPONDENT:

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Grace Elam
Regional Hearing Clerk
Office of Regional Counsel, Region 9