



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

_____)
In re:)
City and County of San Francisco) NPDES Appeal No. 20-01
NPDES Permit No. CA0037681)
_____)

ORDER GRANTING UNOPPOSED MOTION FOR SCHEDULE MODIFICATION

This matter involves a January 13, 2020, petition for review that the City and County of San Francisco (“San Francisco”) filed with the Environmental Appeals Board (“Board”) seeking review of a joint NPDES authorization issued by EPA Region 9 (“Region”) and the California Regional Water Quality Control Board for the San Francisco Bay Region. On June 18, 2020, the Board granted San Francisco leave to supplement its petition, which San Francisco timely filed on June 30, 2020. The Region filed its response to San Francisco’s supplement to its petition on July 23, 2020. The Board extended San Francisco’s deadline for filing its reply to August 21, 2020, to allow San Francisco’s newly hired counsel to become familiar with the case. For the same reason, the Board set the date for oral argument as September 24, 2020. San Francisco now seeks to modify the filing deadline for its reply to September 11, 2020, and seeks to reschedule oral argument to October 8, 2020. San Francisco’s Unopposed Motion for Schedule Modification, NPDES Appeal No. 20-01 (filed Aug. 3, 2020) (“Motion”).

In support of its motion San Francisco states that “despite its diligent efforts, its new attorneys have not yet been able to familiarize themselves with the record and to draft a reply.” Motion at 3. Additionally, San Francisco states that “[d]ue to the complexity of the issues and

size of the record,” additional time is needed for its new attorneys to prepare for oral argument.
Id. San Francisco represents that the Region does not oppose this motion. *Id.* at 1.

Based on the representations in the Unopposed Motion for Schedule Modification, the Board **GRANTS** the motion. San Francisco must file its reply in support of its supplement to its petition on or before **September 11, 2020**. Oral Argument will be held by videoconference at 1:00pm Eastern Time on **October 8, 2020**. Parties must file a “Notice Regarding Oral Argument” on or before **September 11, 2020**, identifying the individual who will present argument on its behalf. The allocation of time set forth in the Board’s July 7, 2020 order setting oral argument in this matter remains the same.

So ordered.

Dated: August 17, 2020

ENVIRONMENTAL APPEALS BOARD

By:  _____

Aaron P. Avila
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the *Order Granting Unopposed Motion for Schedule Modification* in the matter of City and County of San Francisco, NPDES Appeal No. 20-01, were sent to the following persons by email:

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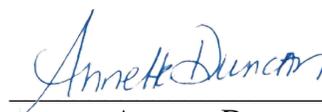
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Dated: **Aug 17 2020**



Annette Duncan
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