

U.S. EPA ENVIRONMENTAL APPEALS BOARD

QUICK GUIDE to Efiling

June 16, 2014

A. GETTING READY (BEFORE YOU FILE)

- 1.** You will need a **valid** Username & Password (**Do this in ADVANCE of your filing date**).
New Users: It can take **up to 2 business days** to process a registration in the system. If you are close to your filing deadline, contact the EAB Clerk or file by overnight delivery. **To Register**, go to: www.epa.gov/eab and click on “Electronic Filing” in the left-hand column, then choose “Register/Login.” From the EAB eFiling System main menu, choose “Register as new user” **Existing Users:** Passwords expire (and must be changed) every 90 days to maintain access to the system. Log in before your filing deadline to be sure you have access. **For assistance with access to the eFiling system** (username and password issues), call the EPA Help Desk at **1-866-411-4372**, and select **option 3** (for EZ Tech) when prompted.
- 2. Know your case.**
The system will require you to know the type of appeal (e.g., permit vs enforcement), type of filing (Brief, Motion - including responses to motions, Notice, Status Report), and – in new appeals – information about the origins of the case (e.g., the relevant statute, the EPA region of origin, the permit issuer or person who issued the initial decision).
- 3. Before you log in to file:**
 - a.** Have your **Username and Password** ready (see Step 1).
 - b.** Have your **documents ready** to file.
 - Each filing must be in Adobe Acrobat (i.e., **.PDF**) format
 - Electronic files must be **50 MB** or less in size ([Tips for reducing file size](#) are provided on our Electronic Filing web page at: www.epa.gov/eab).
 - Check the EAB’s eFiling web page for [paper copy requirements](#) applicable to documents that are longer than **50 pages**.
 - You must provide a copy of your filing (i.e., serve) to **the other parties**. A [Certificate of Service](#) must accompany each filing, demonstrating compliance.
 - **Each attachment** must be contained in a separate .pdf file.
 - **Give each attachment a title that describes its contents** (for example: Final Permit, Hearing Transcript, Public Notice, etc.). Attachment titles should **NOT** be “A, B, C...” or “1, 2, 3...” -- The eFiling system will automatically assign a number (i.e., Attachment 1, Attachment 2, etc.) as you upload your attachments.
 - Have a **list of attachments** available for reference. You will be required to type in the title (describing the contents) for each attachment you upload.
 - Documents and attachments **must not contain confidential business information (“CBI”) or other private information**.
- 4.** Documents submitted through the EAB eFiling system are considered filed on the day THEY are transmitted **up until 11:59 pm Eastern Time**.

B. E-FILING YOUR DOCUMENT(S)

- 1. Log in** to the EAB eFiling System: go to www.epa.gov/eab; click on “Electronic Filing” in the left-hand column; choose “Register/Log in.” From the **EAB eFiling System** Main Menu, click on “File with EAB on existing or new appeal.” Log in using your username and password.
- 2.** From the **EAB eFiling Main Menu**, select the appropriate path based on the following:
 - a.** Are you filing in an **Existing Appeal** or opening a **New Appeal**? Or are you filing a **Motion for Reconsideration** of a closed appeal?
 - b.** What type of appeal is it? (**Permit Appeal**? **Enforcement Appeal**? **Other**?)
 - c.** Are you filing: a substantive **Brief** on the merits? a **Motion** (or a response to a motion)? Are you providing: a **Notice** to the Board? a **Status Report**?
- 3. Fill in the electronic form.**

Tips: Follow the instructions and prompts of the system. The information provided is used to categorize filings and generate filing titles for the docket. Accuracy improves efficiency. Questions may be directed to the Clerk of the Board. Any inaccurate selections may be corrected after the filing is completed. Use the “other” category when uncertain (if available).
- 4. Upload Filing (Choose your file** to upload, **Verify** (check the box) that a certificate of service is included, **Affirm** (check the box) that you are not uploading CBI or private information, **Submit**).
- 5. Add Attachments.** The system will automatically assign a number to each attachment in the order attachments are uploaded your documents (1, 2, 3, etc.). **Use the List of Attachments** to describe each attachment uploaded - See Part A, Step 3. **DO NOT EXIT THE SYSTEM or return to the main menu until** you have uploaded all attachments to a filing – or you may be locked out of your filing. If this happens, contact the Clerk for assistance.
- 6. Document in detail and in writing any problems that you encounter.** The Board strictly construes filing deadlines. The Board may relax filing deadlines based on technical difficulties with the eFiling system, through no fault of the user, but the Board requires proper documentation of those difficulties.

As a last resort, if you are up against a filing deadline and cannot reach the Clerk of the Board, you may email your filing to [Clerk EAB@epa.gov](mailto:Clerk_EAB@epa.gov), with a description of the difficulties encountered and proper supporting documentation (e.g., copy or screen print of error message) attached. The Board will verify reported outages of the electronic filing system. E-mailing a filing to the Clerk is not a guarantee that your document will be considered timely filed. If you choose to file electronically, you assume the risk of all errors not solely attributable to a malfunction of the EAB eFiling System that may result in the inability to timely file.

- 7. After filing**, monitor the docket to make sure your filing is uploaded into the system (it may take up to 2 business days for your filing to appear on the docket). Questions regarding the status of your filing or corrections should be directed to the Clerk of the Board.

Important Reminder: You must **serve (provide a copy of your document to) other parties**, and **meet the EAB’s paper copy requirement** (for documents longer than 50 pages), if applicable.

Questions? Contact the Clerk of the Board: 202-233-0122, [Clerk EAB@epa.gov](mailto:Clerk_EAB@epa.gov).
For more information, visit the Electronic Filing page on our website: www.epa.gov/eab.