

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

In re:	)	
	)	
City of Ruidoso Downs and Village of Ruidoso WWTP	)	NPDES Appeal No. 17-03
	)	
NPDES Permit No. NM 0029165	)	
	)	

**ORDER SCHEDULING ORAL ARGUMENT**

Upon review of the record and the parties’ submissions in the above-captioned matter, the Environmental Appeals Board (“Board”) has determined that oral argument would be of assistance in the Board’s deliberations on this matter. Accordingly, the Board will hold oral argument on Thursday, June 14, 2018, beginning at 1:00 p.m. Eastern Daylight Time in the Administrative Courtroom located at the U.S. Environmental Protection Agency, William Jefferson Clinton East Building, Room 1152, 1201 Constitution Avenue N.W., Washington, D.C. Counsel or other duly authorized representatives of the parties may also present their arguments by videoconference. Parties must notify the Board no later than May 31, 2018, of the names of counsel who will present argument and whether they will attend in person or request to appear by videoconference.<sup>1</sup>

The Board has allocated 60 minutes total for this oral argument, divided as follows and in the following order: (1) 30 minutes for petitioner, Rio Hondo Land & Cattle Company; (2) 20

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<sup>1</sup> If a party requests to participate by videoconference, the Clerk of the Board will contact the party to determine the compatibility of the party’s videoconference equipment with the Board’s system.

minutes for EPA Region 6; and (3) 10 minutes for the permittee City of Ruidoso Downs and Village of Ruidoso.

Pursuant to 40 C.F.R. § 124.19(i)(3)(iii), the Board may serve orders in this matter by email to the addresses provided by the parties and the Board will do so going forward in this matter (using Clerk\_EAB@epa.gov). The parties provided notice to the Board in their Joint Motion of November 7, 2017, that the parties agreed to electronic service of filings between each other in this matter, which included their email addresses. Parties shall promptly file a notice in this matter informing the Board and the other parties if their email address changes.

So ordered.<sup>2</sup>

Dated: Apr 12 2018

**ENVIRONMENTAL APPEALS BOARD**

By:   
Mary Kay Lynch  
Environmental Appeals Judge

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<sup>2</sup> Oral arguments before the Board are open to the public. For security purposes, advance notice is required to gain entry into the EPA building where the Courtroom is located. Members of the public wishing to attend oral argument must contact the Clerk of the Board (Eurika Durr, 202-233-0122, Clerk\_EAB@epa.gov) sufficiently in advance of the oral argument to allow the Clerk reasonable opportunity to notify appropriate security personnel (i.e., no later than one week prior to the scheduled oral argument).

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Order Scheduling Oral Argument* in the matter of City of Ruidoso Downs and Village of Ruidoso WWTP, NPDES Appeal No. 17-03, were sent to the following persons in the manner indicated:

**By First Class Mail:**

Steven Sugarman  
Attorney for Rio Hondo Land & Cattle Company  
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**By EPA Pouch Mail:**

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Dated: Apr 12 2018



Eurika Durr  
Clerk of the Board