

From: Durr, Eurika [<mailto:Durr.Eurika@epa.gov>]
Sent: Friday, January 22, 2016 11:41 AM
To: John Hall
Cc: Bukhari, Samir; Curley, Michael; Schroer, Lee
Subject: Taunton Oral Argument on January 28, 2016 - Notification on use of PowerPoint

Dear Mr. Hall,

In response to your inquiry, the Board strongly discourages the use of a PowerPoint during oral argument. The primary purpose of an oral argument is for the Board to engage with the parties and to ask questions regarding the materials in the record and not to receive a presentation. Nevertheless, you may present specific pages of hard copy documents from the administrative record for this permit using the Court's on-screen touch telestration system (similar to an Elmo). You may also be able to present specific pages of documents from the administrative record for this permit directly from your laptop, but we would need to confirm that your laptop is compatible with the Board's equipment. A memory stick may not be inserted into any EPA computer for security reasons.

Please note, to the extent that you seek to present materials other than specific pages of documents from the administrative record for this permit, you must first obtain permission from the Board in advance of the argument via motion that includes a copy of the proposed materials. The PowerPoint as described in your email is not limited to specific pages of documents from the administrative record for this permit, and as such, you must file a motion for permission to present the PowerPoint if you decide to proceed in this manner. As with any motion, you are responsible for conferring with counsel for Respondent in advance of filing the motion and representing whether Respondent concurs or opposes the motion. 40 C.F.R. § 124.19(f)(2).

Sincerely,

Eurika Durr
Clerk of the Board
Environmental Appeals Board
202-233-0110

cc: Samir Bukhari, EPA Office of the Regional Counsel
Michael Curley, EPA Office of the Regional Counsel
Lee Schroer, EPA Office of the General Counsel

From: John Hall [<mailto:jhall@hall-associates.com>]
Sent: Thursday, January 21, 2016 12:48 PM
To: Durr, Eurika <Durr.Eurika@epa.gov>
Subject: Taunton Oral Argument on January 28, 2016 - Notification on use of PowerPoint
Importance: High

Dear Ms. Durr,

As we discussed yesterday, as part of my oral argument, I would like to use PowerPoint to highlight certain specific aspects of exhibits in the record and orient the Court to the relevant physical conditions of the estuary in question. All of the materials presented/referenced will be those already in EPA's permit record and highlighted in the various filings to the Board. I understand that the Board's hearing room is equipped for such options and will bring both a laptop and a memory stick with the presentation documents.

Please confirm that this is acceptable and if there are any other specific technical requirements needed to ensure that the PowerPoint may be accommodated.

In addition, please note a slight change in the attendees. Philip Rosenman from my firm will be accompanying me and Dan DeAbreu (Assistant City Attorney) is attending in place of Jason Buffington.

Thank you for your attention to this matter.

John

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