

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

)	
In re:)	
)	
Dave Erlanson, Sr.,)	CWA Appeal No. 20-03
)	
CWA-10-2016-0109)	
)	

SCHEDULING ORDER


On November 3, 2020, Mr. Dave Erlanson, Sr. filed an appeal with the Environmental Appeals Board (“Board”) in the above-captioned matter. On November 20, 2020, the Board issued an Order directing Mr. Erlanson to show cause as to why his appeal should not be dismissed for failure to comply with the requirements of 40 C.F.R. § 22.30(a)(1). Order Vacating Decision to Decline Sua Sponte Review, Docketing Appeal, and Order to Show Cause (Nov. 20, 2020). The Board received Mr. Erlanson’s response on November 30, 2020 and the U.S. Environmental Protection Agency (“U.S. EPA”) Region 10’s (“Region 10”) reply on December 11, 2020.

In addition to the response to show cause, the Board has received Mr. Erlanson’s appellate brief and brief challenging the jurisdiction of the U.S. EPA. Appellate Brief (Nov. 23, 2020); Appellant Challenge to the Jurisdiction of the U.S. EPA (Nov. 23, 2020); *See* Dave Erlanson Sr. Docket (https://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/f22b4b245fab46c6852570e6004df1bd/9c6f02c5451e7c53852585fa0070729d!OpenDocument). Any response by Region 10 to Mr. Erlanson’s appeal is due on or before **January 8, 2021**.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: **Dec.15, 2020**

By: 
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing *Scheduling Order* in the matter of *Dave Erlanson, Sr.*, CWA Appeal No. 20-03, were sent to the following persons in the manner indicated:

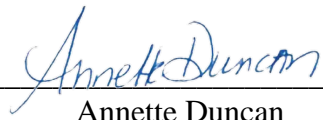
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Dated: **Dec 15 2020**



Annette Duncan
Administrative Specialist