

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

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| In re: |) | |
| |) | |
| City of Lowell |) | NPDES Appeal No. 19-03 |
| |) | |
| NPDES Permit No. MA0100633 |) | |
| |) | |

ORDER SCHEDULING ORAL ARGUMENT

The City of Lowell (“City”) has petitioned the Environmental Appeals Board for review of a National Pollutant Discharge Elimination System permit issued by U.S. Environmental Protection Agency, Region 1, authorizing discharges from the City’s wastewater treatment facility to the Merrimack River, in Massachusetts. In its petition, the City requests that the Board hold oral argument as part of its review of the City’s permit, and Region 1 has not objected to that request. *See* City of Lowell, Massachusetts Petition for Review 2-3, 33 (Oct. 24, 2019).

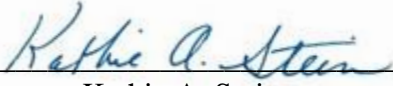
Upon review of the record and the parties’ submissions, the Board has determined that oral argument will assist the Board in its deliberations. *See* 40 C.F.R. § 124.19(h). Accordingly, oral argument will take place on **Thursday, February 20, 2020**, beginning at **10:30 AM Eastern Time** in the U.S. EPA Administrative Courtroom (Room 1152), William Jefferson Clinton East Building, 1201 Constitution Avenue N.W., Washington, DC 20004. The Board has allocated a total of sixty minutes for oral argument, with the time split evenly between the City and Region 1. The City has the option of reserving up to 10 minutes of its time for rebuttal.

Counsel, or other duly authorized representatives of the parties, may opt to present argument by videoconference.¹ The Board directs each party to file a “Notice Regarding Oral Argument” by **January 21, 2020**, providing the name of the individual who will present argument on its behalf and indicating whether that individual will appear in person or request to appear by videoconference.²

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: December 16, 2019

By: 
Kathie A. Stein
Environmental Appeals Judge

¹ If a party requests to participate by videoconference, the Clerk of the Board will contact the party to determine whether its videoconference equipment is compatible with the Board’s system.

² Oral arguments before the Board are open to the public. For security purposes, advance notice is required to gain entry to 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 or Clerk_EAB@epa.gov) no later than one week prior to the scheduled oral argument to allow the Clerk reasonable opportunity to notify appropriate security personnel.

CERTIFICATE OF SERVICE


I certify that copies of the *Order Scheduling Oral Argument* in the matter of City of Lowell, NPDES Appeal No. 19-03, were sent to the following persons by email:

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Dated: December 16, 2019


Eurika Durr
Clerk of the Board