



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

ENVIRONMENTAL APPEALS BOARD

February 22, 2024

Michael W. Holditch  
Jane W. Gardner  
Patterson Earnhart Real Bird & Wilson LLP  
1900 Plaza Drive  
Louisville, CO 80027  
(303) 926-5292  
mholditch@nativelawgroup.com  
jgardner@nativelawgroup.com

KC Becker Regional Administrator  
U.S. Environmental Protection Agency Region 8  
1595 Wynkoop Street Denver, Colorado 80202  
Becker.KC@epa.gov

Randall H. Cherry  
Office of Regional Counsel  
EPA Region 8  
1595 Wynkoop St.  
Mail Code: 80RC-LC-M  
Denver, CO 80202  
(303) 312-6566  
Cherry.Randall@epa.gov

Re: In re: Deseret Generation and Transmission Co-operative  
Bonanza Power Plant  
Appeal Number: CAA 24-01  
Permit Number: V-UO-000004-2019.00

Transmitted via email

Dear Parties:

The Environmental Appeals Board (“Board”) invites you to consider participating in the Board’s Alternative Dispute Resolution (“ADR”) program. This program is designed to assist parties in resolving disputes before the Board. Participation is completely voluntary. Please refer to the enclosed Information Sheet for more information on the Board’s ADR program.

To participate in the Board’s ADR program, all parties must agree to participate. For this reason, the Board encourages representatives of the parties to consult regarding participation in the ADR program. As stated in the enclosed Information Sheet, if all parties agree to participate in the Board’s ADR program, the Board will issue an order staying this matter for a limited time. As part of the ADR process, the parties will be required to submit confidential brief written summaries of the disputed issues. These summaries are not shared with the other parties. In limited circumstances, the Board may determine that use of the ADR program is not appropriate.

It is important to note that this letter does not extend any existing deadlines for submissions to the Board. The Board will issue an order staying the matter for ADR only if all parties agree to participate in the ADR program.

To indicate your interest in participating in the Board’s ADR program, please file a notice with the Board no later than **March 7, 2024**. A joint notification of all parties’ interest in participating in this program is preferred. If the Board does not receive notification of interest in participating in the ADR program from all parties, either jointly or individually, by **March 7, 2024**, the matter will proceed without ADR.

Sincerely,

Emilio Cortes  
Clerk of the Board

C.C.

Makram B. Jaber  
McGuireWoods LLP  
888 16<sup>th</sup> Street N.W. Suite 500  
Black Lives Matter Plaza  
Washington, DC 20006  
(202) 857-2416  
mjaber@mcguirewoods.com

Enclosure: EAB ADR Program Information Sheet