

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

**REVISED ORDER AUTHORIZING ELECTRONIC SERVICE OF DOCUMENTS
IN PERMIT AND ENFORCEMENT APPEALS**

Before Environmental Appeals Judges Aaron P. Avila, Mary Kay Lynch, and Kathie A. Stein.

Per Curiam:

The regulations establishing procedures for permit and enforcement appeals to the Environmental Appeals Board (“Board”) specify service requirements for parties filing documents with the Board. Under the regulations, service may be accomplished in a variety of ways, including via electronic mail (“email”) with the agreement of a party. 40 C.F.R. §§ 22.5(b)(2), 124.19(i)(3)(ii). The regulations also provide, however, that the Board may, by order, “authorize or require” service by email, “subject to any appropriate conditions and limitations.” *Id.* §§ 22.5(b)(2), 124.19(i)(3)(ii).

To promote the sound and efficient management of its docket, the Board hereby authorizes parties to all currently pending and newly filed permit and enforcement appeals to utilize email to fulfill their service obligations under 40 C.F.R. §§ 22.5(b) and 124.19(i)(3)(ii). Thus, a party need not seek and obtain the consent of another party in order to serve that party by email. Parties must promptly file notices informing the Board and the other parties of any changes in their email addresses.

The Board in its discretion may modify these procedures as appropriate on a case-by-case basis. The Board also may revoke or amend this order at any time. This order creates no vested rights in any party.

So ordered.

Dated: September 21, 2020