



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

ORDER URGING ELECTRONIC SERVICE AND FILING

On March 13, 2020, the President of the United States declared that the ongoing Coronavirus Disease 2019 (COVID-19) pandemic constitutes a national emergency under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5127.

Consistent with that declaration, the U.S. Office of Management and Budget and U.S. Office of Personnel Management directed federal government agencies to, among other steps, minimize face-to-face interactions and maximize telework across the nation. In response to that guidance, the U.S. Environmental Protection Agency Administrator has instructed EPA employees to begin teleworking to the fullest extent possible. Likewise, to prevent spread of the disease, the Centers for Disease Control and Prevention has advised all Americans to stay at home as much as possible, to remain at least six feet apart from others, and to avoid groups of more than 10 people. To that end, the judges and staff of the Office of Administrative Law Judges are now working remotely and are no longer physically present in their office at EPA headquarters.

In light of this national emergency, this Tribunal is not currently able to accept filings or correspondence by courier, personal delivery, or commercial delivery. Further, this Tribunal's ability to receive filings or correspondence by U.S. Mail or facsimile is limited.¹ This Tribunal further recognizes that many parties may also be working under similar constraints and may be unable to easily accept orders, filings, or correspondence by these methods.

Therefore, notwithstanding any other particular requirements set forth in the rules that govern their respective proceedings, all parties to all cases before this Tribunal are strongly encouraged to file and serve all documents on this Tribunal and on any opposing parties by electronic means only.² This generally means that parties should serve each other by email. Service by email may also include sending a link via email to an online file sharing service.

¹ U.S. Mail is currently being delivered to OALJ at an offsite location on a weekly basis. OALJ is able to receive facsimiles at an offsite location as well using the following fax number: (916) 550-9639.

² If it is impossible for a party to receive service electronically, e.g., the party does not have any access to a computer, the party shall so advise OALJ by contacting the Tribunal's Headquarters Hearing Clerk at (202) 564-6281. The party shall also advise any opposing parties if they are unable to receive electronic service. Likewise, if a party is without access to a computer and must file documents by U.S. Mail or facsimile, the party shall notify the Headquarters Hearing Clerk every time it files a document in such a manner.

When submitting documents to this Tribunal, parties should utilize the OALJ E-Filing System at https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf.³ Additionally, all orders and documents issued by this Tribunal will be served by electronic means only.

SO ORDERED.



Susan L. Biro
Chief Administrative Law Judge

Dated: April 10, 2020
Washington, D.C.

³ More information about electronic filing may be found in the Standing Order Authorizing Electronic Filing in Proceedings Before the Office of Administrative Law Judges available on the OALJ website at www.epa.gov/alj.