

BEFORE THE ENVIRONMENTAL APPEALS BOARD
 U.S. ENVIRONMENTAL PROTECTION AGENCY
 WASHINGTON, D.C.

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ORAL ARGUMENT

IN RE:	:	RCRA Appeal Nos.
	:	16-01
GENERAL ELECTRIC COMPANY	:	16-02
	:	16-03
Permit No. MAD002084093	:	16-04
	:	16-05

Thursday,
 June 8, 2017

Administrative Courtroom
 Room 1152
 EPA East Building
 1201 Constitution Avenue, NW
 Washington, DC

The above-entitled matter came on for
 hearing, pursuant to notice, at 10:00 a.m.

BEFORE:

THE HONORABLE KATHIE A. STEIN
 Environmental Appeals Judge

THE HONORABLE MARY BETH WARD
 Environmental Appeals Judge

THE HONORABLE AARON AVILA
 Environmental Appeals Judge

APPEARANCES:**On Behalf of the General Electric Company:**

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ALSO PRESENT:

Eurika Durr, Clerk of the Board

1 Next to a river?

2 I believe Your Honor asked a question,
3 do you -- is it relevant to take into
4 consideration that this is going next to a river?
5 Never. You would -- I river by definition is an
6 environmentally-sensitive receptor. You don't
7 put a hazardous waste facility near a river.
8 That's why the TSCA regulations say what they
9 say. All three of these sites have a hydrologic
10 connection between the surface water and the
11 groundwater. It makes no sense whatsoever to
12 put --

13 JUDGE STEIN: If GE were to take the
14 PCBs that were 50 parts per million and above and
15 take them off site and take PCBs that were lower
16 than 50 parts per million and leave them on site,
17 would that alter your -- the views of your
18 clients?

19 MR. PAWA: No, it's still toxic even
20 if it doesn't meet that threshold definition, and
21 it's still solid waste under the Massachusetts
22 solid waste facility definitions. And again, you