

In re: General Electric Company	)	
	)	
2020 REVISED FINAL PERMIT MODIFICATION	)	
TO THE 2016 REISSUED RCRA PERMIT ISSUED TO	)	RCRA Appeal No. 21-01
THE GENERAL ELECTRIC COMPANY	)	
UNDER THE RESOURCE CONSERVATION AND	)	
RECOVERY ACT FOR THE REST OF RIVER	)	
PORTION OF THE HOUSATONIC RIVER	)	
	)	
	)	
Permit No. MAD002084093	)	
	)	

Region 1 of the United States Environmental Protection Agency (the “Region”) respectfully submits this Motion to request that the Environmental Appeals Board (the “Board”) extend the time required for the Region to file its response to the Petition for Review of the Region’s 2020 Revised Final Permit Modification to the 2016 Reissued RCRA Corrective Action Permit (the “Revised Final Permit”) to Permittee General Electric Company (“GE”); the certified administrative record index; and the relevant portions of the administrative record.

On February 22, 2021, the Board extended the filing date for the Region's response, certified index to the administrative record, and relevant portions of the administrative record, to April 5, 2021. Dkt. #4.

On March 3, 2021, the Petitioners filed a brief containing the substance of their Petition for Review. Dkt. #6.

Based upon the Region's review of the Petition for Review, and following consultation with counsel for the Petitioners, the Region respectfully requests that the Board extend the time required for the Region to file its response to the Petition for Review, the certified Administrative Record index, and the relevant portions of the Administrative Record by 30 days, that is, from April 5, 2021 to May 5, 2021.

The Region's requests are justified as follows. The extended due date for the Region's response will provide the Region with an adequate opportunity to respond to the many complex issues raised by the Petitioners, including a number of new exhibits attached to their Petition. To credibly respond to the Petition, including necessary coordination with the EPA Office of General Counsel and other offices, will take longer than the standard 30-day response date. Also, 40 C.F.R. § 124.19 contemplates that the Board may grant a 30-day extension in appropriate circumstances. The Board granted a 30-day extension to Petitioners via its order dated February 22, 2021. Dkt. #6.

The Region has consulted with counsel for Petitioners and counsel for amicus the Housatonic Rest of River Municipal Committee. Both stated that they do not object to this request. The Region also consulted with counsel for permittee General Electric Company who stated that they assent to the modification of the deadline with respect to all the parties to which it applies.

THEREFORE, the Region hereby respectfully requests that the Board grant the Region until **May 5, 2021** to file the Region's response to the Petition for Review, the certified Administrative Record index, and relevant portions of the Administrative Record.

Respectfully submitted,

U.S. ENVIRONMENTAL PROTECTION AGENCY, by

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## CERTIFICATE OF SERVICE

I, John W. Kilborn, hereby certify that on March 16, 2021, true and correct copies of EPA Region 1's *Unopposed Motion for Extension of Time* were served as follows:

Via the EPA's E-Filing System to:

Clerk of the Board  
Environmental Appeals Board  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Mail Code 1103M  
Washington, D.C. 20460-0001

Via E-Mail to:

Petitioners:

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Permittee (General Electric Company):

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