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

In the Matter of:

GENERAL ELECTRIC COMPANY

RCRA Appeal Nos. 16-01

Modification of RCRA Corrective Action Permit No. MAD002084093

## COMMONWEALTH OF MASSACHUSETTS' NOTICE OF APPEARANCE

The Commonwealth of Massachusetts ("Commonwealth") hereby files this notice of appearance pursuant to 40 C.F.R. §124.19(b)(4) in the proceeding commenced by the Petition of the General Electric Company ("GE") on November 23, 2016, RCRA Appeal No. 16-01, relating to the United States Environmental Protection Agency's ("the Region") Modification of RCRA Corrective Action Permit No. MAD002084093.

The Commonwealth will be filing its response to GE's Petition on the date the Region's response is due (January 31, 2017) in accordance with *In the Matter of: Star Sewer and Water District - Wastewater Treatment Plant*, NPDES Appeal No. 15-07, Order Granting Motion for Extension of Time (May 28, 2015). The Commonwealth respectfully requests confirmation from the Board that the due date for the Commonwealth's response is January 31, 2017.

# Respectfully submitted,

<u>/s/ Jeffrey Mickelson</u> Jeffrey Mickelson Deputy General Counsel Massachusetts Department of Environmental Protection One Winter Street Boston, MA 02108 Tel: (617) 556-1066 Fax: (617) 338-5511 Email: Jeffrey.Mickelson@state.ma.us

/s/ Richard Lehan Richard Lehan General Counsel Massachusetts Department of Fish and Game 251 Causeway Street, Suite 400 Boston, MA 02114 Tel: (617) 626-1552 Fax: (617) 626-1505 Email: <u>Richard.Lehan@state.ma.us</u>

### CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2016, true and correct copies of the

Commonwealth's Notice of Appearance were served:

#### Via the EPA's E-Filing System and U.S. Mail to:

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

#### Via E-Mail and U.S. Mail to:

Jeffrey R. Porter Andrew Nathanson Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. One Financial Center Boston, MA 02111

James R. Bieke Sidley Austin LLP 1501 K Street, N.W. Washington, D.C. 20005

Timothy M. Conway EPA Region 1 Mail Code OES 04-3 5 Post Office Square, Suite 100 Boston, MA 02109-3912

Kathleen E. Connolly Louison, Costello, Condon & Pfaff, LLP 101 Summer Street Boston, MA 02110

Lori D. DiBella Assistant Attorney General 55 Elm Street P.O. Box 120 Hartford, CT 06141-0210

<u>/s/ Jeffrey Mickelson</u> Jeffrey Mickelson <u>/s/ Richard Lehan</u> Richard Lehan