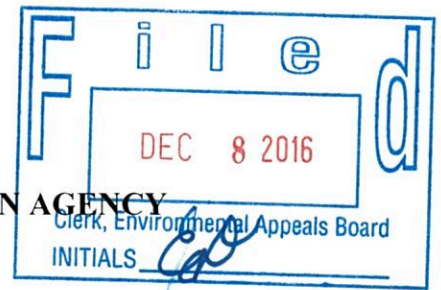


**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)
) RCRA Appeal Nos. 16-01, 16-02, 16-03,
General Electric Company) 16-04, and 16-05
)
Permit No. MAD002084093)
)

**ORDER SETTING DEADLINE FOR RESPONSES TO MOTIONS FILED BY
EPA REGION 1 AND BY GENERAL ELECTRIC COMPANY**

Five petitions have been filed for review of a modification to a Resource Conservation and Recovery Act (“RCRA”) permit that the U.S. Environmental Protection Agency, Region 1, issued to General Electric Company on October 24, 2016. *In re General Electric Co.*, Appeal Nos. 16-01, 16-02, 16-03, 16-04, and 16-05. Currently before the Board are motions filed by EPA Region 1 and by General Electric relating to various procedural matters.

On December 6, 2016, EPA Region 1 filed a motion requesting that the Board (1) extend until January 31, 2017, the Region’s deadline for filing its response to the five petitions together with the index to the certified administrative record and relevant portions of the administrative record; (2) allow the Region to submit a single consolidated response to the five petitions; and (3) establish a limit of 56,000 words for the Region’s consolidated response. Region 1 represents that it has consulted with all five petitioners and that its motion is partially opposed and partially unopposed.

On December 8, 2016, General Electric filed a notice of appearance and a motion for clarification regarding the petition submitted by the Housatonic Rest of the River Municipal Committee, *In re General Electric Co.*, Appeal No. 16-04. The motion requests the Board to (1) clarify that General Electric has the right to respond to the Municipal Committee's petition, and (2) establish that the deadline for General Electric's response to the Municipal Committee's petition shall be the same as the deadline for the response by Region 1 to all five petitions. General Electric represents that it has consulted with the Region and with the Municipal Committee and that neither opposes its motion.

To the extent any party to the five petitions wishes to respond to either of these motions, the Board is providing it with an opportunity to do so. The Board previously granted an extension of time to Region 1 specifying that its response to all petitions in this matter, the certified index to the administrative record, and the relevant portions of the administrative record, would be due thirty days after the filing of the last timely-filed petition. *In re General Electric Co.*, Appeal Nos. 16-01M, 16-02, and 16-03 (Nov. 22, 2016) (Order Granting Extension of Time and Establishing a Single Deadline for Responses to Petitions). As this thirty-day time period is rapidly closing, the Board is shortening the standard fifteen-day period for response to motions, *see* 40 C.F.R. § 124.19(f)(3), and ordering that any party to the five petitions that wishes to respond to either motion currently before the Board must do so by Tuesday, December 13, 2016. *See Id.* § 124.19(n) (authorizing the Board to do "all acts and take all measures necessary for the efficient, fair, and impartial adjudication of issues arising in an appeal under this part").

So ordered.

Dated: December 8, 2016

ENVIRONMENTAL APPEALS BOARD

By: Kathie A. Stein

Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the forgoing *ORDER* issued December 8, 2016, in the matter of *In re General Electric Co.*, RCRA Appeal Nos. 16-01, 16-02, 16-03, 16-04 and 16-05, were sent to the following persons in the manner indicated.

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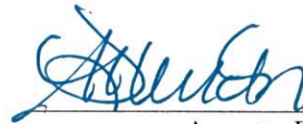
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Dated: DEC - 8 2016



Annette Duncan
Administrative Specialist