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

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In the Matter of:	
GENERAL ELECTRIC COMPANY	) RCRA Appeal Nos. 16-01, 16-02, 16-03, 16-04
	) and 16-05
Permit No. MAD002084093	

#### MOTION FOR LEAVE TO AMEND NOTICE OF APPEAL

# RESPONDENT HOUSATONIC RIVER INITIATIVE INC.'S AMENDED NOTICE OF APPEAL REQUEST FOR ORAL ARGUMENT

Respondent Housatonic River Initiative, Inc. (HRI) respectfully files this Amended Notice of Appeal seeking oral argument before the Environmental Appeals Board (EAB) in accordance with 40 C.F.R. § 124.19(h).

Respondent's proposed amendment is a matter of form rather than substance, is supported in fact and in law, and there is no prejudice to EPA Region 1 (EPA). The EAB has recognized that liberal construction and amendment of administrative pleadings is to be freely allowed to ensure a decision on the merits rather than on technicalities. EPA counsel was notified orally in advance of Respondent's intent to move the EAB to amend their Notice of Appeal seeking oral argument.

Respectfully submitted,

/s/ Timothy Gray

Timothy Gray

Housatonic River Initiative, Incorporated (HRI)

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### **CERTIFICATE OF SERVICE**

I certify that a copy of this MOTION FOR LEAVE TO AMEND NOTICE OF APPEAL;

RESPONDENT HOUSATONIC RIVER INITIATIVE INC.'S AMENDED NOTICE OF

APPEAL REQUEST FOR ORAL ARGUMENT has been sent to the counsel and representatives listed below in the manner indicated:

March 26, 2017
/s/ Timothy Gray
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by email and via EPA's e-Filing System

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