

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

_____	)	
In the Matter of:	)	
	)	
GENERAL ELECTRIC COMPANY,	)	RCRA Appeal No. 16-01
	)	
Modification of RCRA Corrective Action	)	
Permit No. MAD002084093	)	
_____	)	

**GREEN BERKSHIRES, INC.’S NOTICE ON ORAL ARGUMENT**

By Order dated February 23, 2017, the Environmental Appeals Board (the “Board”) granted oral argument in this matter. By further Order dated April 13, 2017, the Board directed the parties to provide notice of whether they intend to participate in the June 8, 2017 oral argument, and if so, whether they will attend in person or request to appear by videoconference.

Green Berkshires, Inc. (“Green Berkshires”), which submitted an amicus brief (RCRA 16-01, Filing No. 42) in support of Respondent, Region 1, U.S. Environmental Protection Agency (“EPA”), respectfully requests that it be provided an opportunity to participate in argument, through its undersigned counsel, in person as scheduled on June 8, 2017.

In its amicus brief, Green Berkshires requested that it be allowed limited time - 10 minutes - for oral argument to address the issues it raised in its amicus brief in support of EPA. (Green Berkshires’ Amicus Brief, Request for Oral Argument, p. 21). Oral argument by Green Berkshires on its points relative to the Area of Critical Environmental Concern (“ACEC”) and the procedural issues as to General Electric Company’s Petition would materially assist the Board. Green Berkshires, a key advocate for the successful designation of the Upper Housatonic

River region as an ACEC, may assist the Board in answering questions regarding the ACEC designation and the mandate for resource protection associated with that designation. Green Berkshires may also assist the Board in explaining the procedural deficiencies of GE's Petition relative to the ACEA, noted by others, but not with the specificity that Green Berkshires has outlined in its submission to the Board.

Green Berkshires respectfully asks the Board, in issuing its further Order on issues to be heard and allocation of time during oral argument, that it include limited time - 10 minutes - for presentation by Green Berkshires.

Respectively Submitted,  
**GREEN BERKSHIRES, INC.**  
By its Attorneys,

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Dated: April 27, 2017

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing Green Berkshires, Inc.'s Notice on Oral Argument in the matter of *In Re General Electric Co.*, RCRA Appeal Nos. 16-01 was served via EAB E-Filing System and sent to the following persons via email and first class mail, postage prepaid on April 27, 2017:

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