

BEFORE THE ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL APPEALS BOARD
Washington, D.C.

In re:

2020 REVISED PERMIT MODIFICATION
TO 2016 REISSUED PERMIT ISSUED TO
GENERAL ELECTRIC COMPANY,
UNDER THE RESOURCE RECOVERY
AND CONSERVATION ACT, FOR
THE HOUSATONIC RIVER “REST OF
THE RIVER,”

Permit Recipient: General Electric Co.
1 Plastics Avenue
Pittsfield, MA 01201

EPA ID No. D002084093

NOTICE OF APPEAL

The Housatonic River Initiative and the Housatonic Environmental Action League (collectively, “Appellants”), by their undersigned counsel, hereby appeal from the 2020 Revised Final Permit Modification to the 2016 Reissued RCRA Permit issued to General Electric Company by EPA Region 1 for remediation of the Housatonic River “Rest of the River,” effective January 4, 2021, EPA ID # D002084093, <https://semspub.epa.gov/src/document/01/650440>.

Together herewith, Appellants have filed an Unopposed Motion for Extension of Time to File Their Brief in Support of Appeal.

The individuals authorized to receive service on behalf of the Housatonic River Initiative and the Housatonic Environmental Action League are Andrew Rainer, Stephanie Parker, and Katy Garrison, at the addresses set forth below.

Respectfully submitted,

HOUSATONIC RIVER INITIATIVE

and

HOUSATONIC ENVIRONMENTAL
ACTION LEAGUE,

By their attorneys,

Stephanie R. Parker

Stephanie R. Parker
O'Connor, Carnathan & Mack, LLC
1 Van de Graaff Drive, Suite 104
Burlington, MA 01803
(781) 359-9037
sparker@ocmlaw.net

Andrew Rainer
Brody, Hardoon, Perkins & Kesten, LLP
699 Boylston Street
Boston, MA 02114
(617) 304-6052
arainer2009@gmail.com

Katy T. Garrison
Murphy & Riley, PC
125 High Street
Boston, MA 02110
(857) 777-7050
KGarrison@MurphyRiley.com

Dated: January 14, 2021

CERTIFICATE OF SERVICE

I, Stephanie R. Parker, hereby certify that on this 14th day of January, 2021, I served the foregoing Notice of Appeal by electronic mail to:

Timothy Conway, Esquire
John Kilborn, Esquire
Environmental Protection Agency Region I
5 Post Office Square, Suite 100
Boston, MA 02109
Conway.tim@epa.gov
Kilborn.john@epa.gov

Eric Merrifield, Esquire
General Electric Company
5 Necco Street
Boston, MA 02210
Eric.merrifield@ge.com

Jeffrey Porter, Esquire
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC
One Financial Center
Boston, MA 02111
JRPorter@mintz.com

Stephanie R. Parker
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**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE APPEAL BRIEF**

The Housatonic River Initiative (“HRI”) and the Housatonic Environmental Action League (“HEAL”) (collectively, “Appellants”), by their undersigned counsel, hereby move for a 30-day extension of time from February 3, 2021 to March 5, 2021 within which to file the brief setting forth the factual and legal grounds for their appeal of the 2020 Revised Final Permit Modification to the 2016 Reissued RCRA Permit issued, effective January 4, 2021, issued to the General Electric Company for the Housatonic River “Rest of the River.” In support of this unopposed request, Appellants state as follows:

1. The extension is requested because the factual and legal background of the appeal is complex and technical and requires review of an administrative record that spans over 20 years.
2. 40 C.F.R. § 124.19 contemplates that the Board may grant a 30-day extension for the filing of an appeal brief in appropriate circumstances, and the size and complexity of the record here provide just such circumstances.

3. HRI did not oppose a similar extension requested by EPA in the prior appeal of the RCRA Permit for this Site, and EPA Region 1 does not oppose the extension requested by Appellants herein.

WHEREFORE, Appellants Housatonic River Initiative and Housatonic Environmental Action League hereby respectfully request that the Board grant them until March 5, 2021 to file their appeal brief in this case.

Respectfully submitted,

HOUSATONIC RIVER INITIATIVE

and

HOUSATONIC ENVIRONMENTAL
ACTION LEAGUE,

By their attorneys,

Stephanie R. Parker

Stephanie R. Parker
O'Connor, Carnathan & Mack, LLC
1 Van de Graaff Drive, Suite 104
Burlington, MA 01803
(781) 359-9037
sparker@ocmlaw.net

Andrew Rainer
Brody, Hardoon, Perkins & Kesten, LLP
699 Boylston Street
Boston, MA 02114
(617) 304-6052
arainer2009@gmail.com

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Murphy & Riley, PC
125 High Street
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(857) 777-7050
KGarrison@MurphyRiley.com

Dated: January 14, 2021

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I, Stephanie R. Parker, hereby certify that on this 14th day of January, 2021, I served the foregoing Unopposed Motion for Extension of Time by electronic mail to:

Timothy Conway, Esquire
John Kilborn, Esquire
Environmental Protection Agency Region I
5 Post Office Square, Suite 100
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EPA ID No. D002084093

CONSENT TO SERVICE BY EMAIL

The undersigned entities hereby consent to service by email of all motions, briefs, and other filings made with the Environmental Appeals Board in the instant appeal at the email addresses set forth below:

HOUSATONIC RIVER INITIATIVE and
HOUSATONIC ENVIRONMENTAL
ACTION LEAGUE

By their attorneys,

Andrew Rainer
Andrew Rainer
Brody, Hardoon, Perkins & Kesten, LLP
699 Boylston Street
Boston, MA 02114
(617) 304-6052
arainer2009@gmail.com

Katy Garrison
Katy T. Garrison
Murphy & Riley, PC
125 High Street
Boston, MA 02110
(857) 777-7050
KGarrison@MurphyRiley.com

Stephanie Parker

Stephanie R. Parker
O'Connor, Carnathan & Mack, LLC
1 Van de Graaff Drive
Burlington, MA 01803
(781) 359-9037
sparker@ocmlaw.net

EPA REGION 1

By its attorneys,

JOHN KILBORN Digitally signed by JOHN KILBORN
Date: 2021.01.13 14:01:09 -05'00'

Tim Conway
John Kilborn
EPA Region 1
5 Post Office Square, Suite 100
Boston, MA 02109
Conway.tim@epa.gov
Kilborn.john@epa.gov

GENERAL ELECTRIC CO.

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Eric Merrifield, Esquire
General Electric Company
5 Necco Street
Boston, MA 02210
Eric.merrifield@ge.com

GENERAL ELECTRIC CO.

By its attorneys,



Eric Merrifield, Esquire
General Electric Company
1 River Road, Building 5-7W
Schenectady, NY 12345
Eric.merrifield@ge.com



Jeffrey Porter, Esquire
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo PC
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Boston, MA 02111
JRPorter@mintz.com

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John Kilborn, Esquire
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Boston, MA 02109
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