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BROADCAST FACSIMILE TRANSMITTAL PAGE

DATE: December 9, 2005

TO: **Eurika Durr, Clerk, Environmental Appeals Board** **FAX: (202) 233.0121**
U.S. EPA

TO: **Karen Maples, Regional Hearing Clerk** **FAX: (212) 637-3199**
U.S. EPA, Region 2
and
Amy R. Chester, Off. of Reg. Counsel
U.S. EPA, Region 2

TO: **Lorena Vaughn, Reg. Hearing Clerk** **FAX: (214) 665-2182**
U.S. EPA (6RC-D)

TO: **John C. Emerson, Asst. Reg. Counsel** **FAX: (214) 665-3177**
U.S. EPA, Region 6

PAGES: 5 (including this transmittal page) **CLIENT/MATTER:** ALU500/64017

FROM: Bryan Moore

RE: Docket Nos. RCRA-06-2003-0912 & RCRA-02-2004-7102
In the Matter of Howmet Corporation Petition for Oral Argument

MESSAGE: Please see the attached Petition.

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Hard Copy Follows: Yes No

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2005
U.S. DISTRICT COURT
NO. 03-2-66-10
WASHINGTON, D.C.

December 9, 2005

By Facsimile (202.233.0121) Express Mail

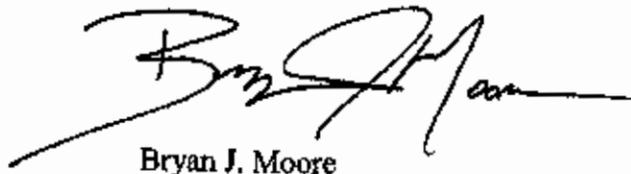
Ms. Eureka Durr, Clerk of the Board
Environmental Appeals Board (MC 1103B)
U.S. Environmental Protection Agency
Colorado Building
1341 G Street, NW, Suite 600
Washington, DC 20005

Re: EAB Appeal No. RCRA (3008) 05-04
Docket Nos. RCRA-06-2003-0912 & RCRA-02-2004-7102
In the Matter of Howmet Corporation
Petition for Oral Argument

Dear Ms. Durr:

Enclosed for filing in the above-referenced docket, please find one original and five copies of Howmet Corporation's Petition for Oral Argument.

Respectfully submitted,



Bryan J. Moore

Enclosures

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CEV
U.S. E.P.A.

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ENVIRONMENTAL APPEALS BOARD**

RECEIVED
DEC 14 2005
U.S. E.P.A.

IN THE MATTER OF)	
)	EAB APPEAL NO. RCRA (3008) 05-04
HOWMET CORPORATION)	
)	DOCKET NOS. RCRA-06-2003-0912 &
)	RCRA-02-2004-7102
APPELLANT)	

HOWMET CORPORATION'S PETITION FOR ORAL ARGUMENT

COMES NOW, Appellant Howmet Corporation ("*Howmet*") and, pursuant to 40 C.F.R. § 22.30(d), files this petition for oral argument in the above-captioned matter. Counsel for Howmet conferred with counsel for appellees U.S. Environmental Protection Agency Region 2 and Region 6 (collectively, "*EPA*") prior to filing this petition. Counsel for EPA indicated that the agency, at this time, has not reached a decision on whether it will support or oppose this petition.

Howmet requests an opportunity for oral argument on the issues presented in Howmet's brief in support of its appeal and EPA's brief in response. While Howmet believes that it clearly and thoroughly demonstrated in its brief that it is entitled to a decision in its favor, Howmet submits that the issues raised in this case are of the type that merit oral argument, so that the parties can respond to any questions the Environmental Appeals Board ("*EAB*") may have. Specifically, this appeal involves issues of regulatory construction that may be more easily explained through oral argument than through competing briefs.

For the foregoing reasons, Howmet respectfully requests that the EAB set a date for oral argument in this matter.

Respectfully submitted,



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ATTORNEYS FOR APPELLANT
HOWMET CORPORATION

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CERTIFICATE OF SERVICE

I hereby certify that Appellant Howmet Corporation's Petition for Oral Argument was served on the following via express mail, facsimile, electronic mail, and/or certified mail on this the 9th day of December, 2005:

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