



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

_____))
In re:))
) RCRA Appeal No. 21-01
General Electric Company))
))
Permit No. MAD002084093))
_____))

ORDER SCHEDULING ORAL ARGUMENT

The Housatonic River Initiative and the Housatonic Environmental Action League (collectively, “Petitioners”), have petitioned for review of a Resource Conservation and Recovery Act permit issued by the U.S. Environmental Protection Agency, Region 1, to the General Electric Company for remediation of the Housatonic River. Petitioners and Region 1 have requested oral argument in this matter. The General Electric Company and Amicus Housatonic Rest of the River Municipal Committee have stated that if oral argument is held, they wish to participate. No party has objected to the oral argument requests.

Upon review of the administrative record and the briefs filed, the Board has concluded that oral argument will assist in its deliberations on this matter. Accordingly, the Board will hold oral argument on **Thursday, September 2, 2021**, beginning at **1:30 p.m. Eastern Time**.

Over the last year, oral arguments before the Board have been conducted by videoconference. Closer to the date of the argument, the Board will, by order, notify the parties

whether the oral argument will be held by videoconference or in-person in EPA's Administrative Courtroom in Washington, DC.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: June 15, 2021

By: 
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I certify that copies of the foregoing **ORDER SCHEDULING ORAL ARGUMENT** in the matter of General Electric Company, RCRA Appeal No. 21-01, were sent to the following persons by email:

*For Petitioners Housatonic River Initiative
and Housatonic Environmental Action
League*

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

Andrew Rainer
Brody, Hardoon, Perkins & Kesten, LLP
699 Boylston Street
Boston, MA 02114
arainer2009@gmail.com

Katy T. Garrison
Murphy & Riley, PC
125 High Street
Boston, MA 02110
kgarrison@murphyriley.com

For EPA Region 1

Timothy Conway
John Kilborn
U.S. EPA, Region 1
5 Post Office Square, Suite 100
Boston, MA 02109
conway.tim@epa.gov
kilborn.john@epa.gov

Brian Grant
U.S. EPA
Office of General Counsel
Washington, DC 20460
grant.brian@epa.gov

For General Electric Co.

Eric Merrifield
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

James R. Bieke
Peter D. Keisler
Sidley Austin, LLP
1501 K Street, N.W.
Washington, D.C. 20005
jbieke@sidley.com
pkeisler@sidley.com

*For Housatonic Rest of River Municipal
Committee*

Matthew F. Pawa
Benjamin A. Krass
Seeger Weiss LLP
1280 Centre Street
Newton, MA 02459
mpawa@seegerweiss.com
bkrass@seegerweiss.com

For Citizens for PCB Removal, et al.

Judith C. Knight
342 Main Street
Great Barrington, MA 01230
jknight@judithknight.com

Courtesy copies to:

Jeffrey Mickelson
Deputy General Counsel
Massachusetts Dept. of Environmental
Protection
One Winter Street
Boston, MA 02108
jeffrey.mickelson@state.ma.us

Lori D. Dibella
Assistant Attorney General
55 Elm Street P.O. Box 120
Hartford, CT 06141
lori.dibella@ct.gov

Dated: June 15, 2021

Emilio Cortes

Emilio Cortes
Clerk of the Board