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

)

)

)

In the Matter of:

GENERAL ELECTRIC COMPANY Modification of RCRA Corrective Action Permit No. MAD002084093) RCRA Appeal Nos. 16-01, 16-02,) 16-03, 16-04, 16-05

EPA REGION 1 NOTICE ON ORAL ARGUMENT

In response to the Environmental Appeals Board's April 13, 2017, Order Directing

Parties to Provide Notice of Election To Participate in Oral Argument, the U.S. Environmental

Protection Agency, Region 1 ("the Region") notifies the Board that the Region will participate in

oral argument for the five above-referenced actions.

The Region's preference and intention are to appear in person for the oral argument.

However, that intention and preference are subject to potential budgetary constraints at EPA.

To the extent that the Region becomes aware that budgetary restrictions would restrict the Region's team from traveling, the Region will notify the Board immediately. In that event, the Region would request to appear by videoconference.

April 24, 2017, EPA Region 1 Notice On Oral Argument

Respectfully submitted,

April 24, 2017

/s/ Timothy M. Conway

Timothy M. Conway Joanna Jerison Samir Bukhari Counsel, U.S. Environmental Protection Agency, Region 1 5 Post Office Square, Suite 100 Boston, MA 02109 P: 617-918-1705; 617-918-1781; 617-918-1095 F: 617-918-0705; 617-918-0781; 617-918-0095 Conway.tim@epa.gov; Jerison.joanna@epa.gov; Bukhari.samir@epa.gov

Of Counsel:

Tracy Sheppard U.S. Environmental Protection Agency Solid Waste and Emergency Response Law Office Office of General Counsel

David Dowton U.S. Environmental Protection Agency Office of Site Remediation Enforcement Office of Enforcement and Compliance Assurance

CERTIFICATE OF SERVICE

I, Timothy M. Conway, hereby certify that true and correct copies of EPA Region 1's

Notice On Oral Argument were served:

Via the EPA's E-Filing System on April 24, 2017 to:

Eurika Durr Clerk of the Board U.S. Environmental Protection Agency Environmental Appeals Board 1201 Constitution Avenue, NW WJC East Building, Room 3334

Via First Class Mail or E-Mail (per agreement of the parties) on April 24, 2017 to:

Jeffrey R. Porter Andrew Nathanson Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. One Financial Center Boston, MA 02111 By Email

Kathleen E. Connolly Louison, Costello, Condon & Pfaff, LLP 101 Summer Street Boston, MA 02110 By Email

Jeffrey Mickelson Deputy General Counsel Massachusetts Department of Environmental Protection One Winter Street Boston, MA 02108 By Email

Lori DiBella Assistant Attorney General 55 Elm Street Matthew F. Pawa Benjamin A. Krass Pawa Law Group, P.C. 1280 Centre Street Newton, MA 02459 By Email

James R. Bieke Sidley Austin LLP 1501 K Street, N.W. Washington, D.C. 20005 By Email

Robert D. Cox, Jr. Jennifer Garner Bowditch & Dewey, LLP 311 Main Street P.O. Box 15156 Worcester, MA 01615 By Email

Richard M. Dohoney Angela W. Haylon Donovan O'Connor & Dodig, LLP P.O. Box 120 Hartford, CT 06141-0210 By Email

Richard Lehan General Counsel Massachusetts Department of Fish and Game 251 Causeway Street, Suite 400 Boston, MA 02114 By Email

Jane Winn Berkshire Environmental Action Team, Inc. 29 Highland Ave. Pittsfield, MA 01201-2413 By Email 1330 Mass MoCA Way North Adams, MA 01247 By Email

C. Jeffrey Cook 9 Palomino Drive Pittsfield, MA 01201 By Email

Timothy Gray Housatonic River Initiative, Inc. P.O. Box 321 Lenoxdale, MA 01242-0321 By U.S. Mail

(s) Timothy M. Conway

Timothy M. Conway