

**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
)	
Final Modification of RCRA Corrective Action)	
Permit No. MAD002084093)	
)	

STATE OF CONNECTICUT'S UNOPPOSED MOTION FOR EXTENSION OF TIME

The State of Connecticut ("Connecticut") respectfully submits this motion in connection with the General Electric Company's ("GE") Petition for Review ("Petition") of the United States Environmental Protection Agency's ("the Region") Modification of the RCRA Corrective Action Permit ("the Permit") issued to GE. Connecticut hereby requests that the Board extend the time required for its submission of a response under 40 C.F.R. § 124.19(b)(4) to the GE Petition from December 23, 2016 to January 31, 2017. In support of this request, Connecticut represents the following:

1. As acknowledged by GE in its motion dated November 1, 2016 and by the Region in its motions dated November 16, 2016 and December 6, 2016, this Permit and corresponding Petition raise many complex and multi-faceted factual, technical and legal issues. These intricate issues necessitate additional time for analysis and for the formulation of a response.

2. Also, the Petition was filed on November 23, 2016, on the eve of the Thanksgiving holiday, thereby, already shortening the usual 30-day period for analysis of the Petition and formulation of a response.
3. Additionally, January 31, 2017 is the date that the Region has requested in its most recent motion as the due date for its response brief in this docket (and other related dockets); and, for the sake of administrative economy in this matter, it makes sense to have the response briefs due on the same date and to have a coordinated response and reply schedule.

Connecticut has consulted with GE regarding this motion, and GE, through its counsel, Jeffrey Porter, has assented to the request. EPA assented in writing to this request for extension of time by Connecticut in its motion dated December 6, 2016, when it stated, "Moreover, to the extent that Connecticut or Massachusetts seeks to respond to the petitions pursuant to 40 C.F.R. Section 124.19(b)(4), the Region does not object to such State being afforded the same time for submittal as the Region." The Region also confirmed that it assented to this request through its counsel, Timothy Conway. In addition, Kathleen Connolly, counsel for the Audubon, an interested party in this docket, has assented to this request.

Connecticut hereby assents that any reply by GE to Connecticut's response should be due on the same timeline as GE's reply to the Region's response.

Based on the foregoing, Connecticut respectfully requests that the requested extension of time to and including January 31, 2017 (the same date proposed for submittal by the Region) for the filing of its response to the Petition is granted.

Date: 12/13/2016

RESPECTFULLY SUBMITTED

STATE OF CONNECTICUT

GEORGE JEPSEN
ATTORNEY GENERAL

BY: /s/ Lori D. DiBella
Lori D. DiBella
Assistant Attorney General
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120
Tel: (860) 808-5250
Fax: (860) 808-5386
E-mail: lori.dibella@ct.gov

CERTIFICATE OF SERVICE

I hereby certify that on December 13, 2016, true and correct copies of Connecticut's

Unopposed Motion for Extension of Time were served:

Via the EPA's E-Filing System and U.S. Mail to:

Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

Via E-Mail and U.S. Mail to:

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

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

Timothy M. Conway
Joanna Jerison
EPA Region 1
Mail Code OES 04-3
5 Post Office Square, Suite 100
Boston, MA 02109-3912

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

/s/Lori D. DiBella
Lori D. DiBella