COMMONWEALTH OF MASSACHUSETTS

TOWN OF BOURNE

BOARD OF HEALTH

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In the Matter of: )

) Public Hearing on Application for

Town of Bourne ) Major Modification of Site Assignment

Integrated Solid Waste ) Application No. 21-SW38-0001-APP Management Facility )

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**REQUEST TO CHANGE AUTHORIZED REPRESENTATIVE FOR**

**TEN CITIZEN GROUP**

Pursuant to 310 CMR 16.20(9)(a) and 310 CMR 16.20(b), a group of 13 individuals submitted Party Registration Statements (collectively, the “Registration Statements”) to form a Ten Citizen Group (the “Ten Citizen Group”) to be a Party in the hearing on the Town of Bourne Department of Integrated Solid Waste Management’s application for a site assignment modification (the “Site Assignment”). Each Registration Statement named Conservation Law Foundation, a nonprofit corporation (“CLF”), as Authorized Representative.

The Bourne Department of Integrated Solid Waste Management (the “Applicant”), submitted a Response to Registration of Proposed Ten Citizen Group dated February 1, 2022 and claimed, inter alia, that CLF could not serve as Authorized Representative for the Ten Citizen Group. CLF submitted a Response of Proposed Ten Citizen Group to Applicant’s Response To Registration of Proposed Ten Citizen Group dated February 2, 2022.

The Hearing Officer in the Site Assignment Hearing issued a Ruling on Ten Citizen Group Request to Intervene dated February 2, 2022 (the “Ruling”) that found that the Registration Statements improperly identified CLF as the Authorized Representative because CLF is not an “individual” within the meaning of 310 CMR 16.20(3). The Hearing Officer held that the defect could be remedied with the designation of an individual to serve as Authorized Representative.

**Conclusion**

The Ten Citizen Group hereby requests the Registration Statements be amended pursuant to the Ruling to designate Christopher R. Powicki as the Authorized Representative for the Ten Citizen Group.

Respectfully submitted,

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Lisa L. Gianelly, BBO #557136

[lgianelly@clf.org](mailto:lgianelly@clf.org)

Conservation Law Foundation

62 Summer Street

Boston, MA 02110

February 4, 2022