



Stephen D. Ramsey
Vice President-Corporate Environmental Programs

General Electric Company
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June 22, 1990

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Museum
Cape Martin
Marshall

Constantine Sidamon-Eristoff
Regional Administrator
United States Environmental
Protection Agency
Region II
26 Federal Plaza
New York, NY 10276

Re: Hudson River PCB Superfund Site

Dear Mr. Sidamon-Eristoff:

I received and read with interest your letter to me of June 4 concerning the Reassessment Remedial Investigation and Feasibility Study (RRI-FS) to be performed for the Hudson River. As you may know, I have only recently joined General Electric Company and developing a cooperative, successful partnership with your office and the State of New York to address the presence of PCBs in the Hudson is one of my top priorities. It is in that context I write to request an opportunity to meet with you to discuss your decision not to allow GE to undertake the RRI-FS for the Hudson. This letter expresses GE's view on the matters raised in your letter and can, hopefully, serve as a basis for discussion between us.

I understand there to be two concerns which led you to decide that EPA and not GE should perform the RRI-FS: first, your staff's belief that GE could not complete the RRI-FS within a time frame acceptable to EPA; second, that GE has expressed such firm confidence in the feasibility of bioremediation that the company could not provide EPA with an unbiased work product. We believe we can address these concerns and that they should not preclude GE's performance of the RRI-FS.

With respect to timing, we share EPA's desire for expeditious completion of the RRI-FS. We also believe that the RRI-FS should consider the full range of remedial options from no action to river dredging. Your letter expresses concern that GE's target demonstration date for bioremediation is September, 1993 and thus, if considered as part of the RRI-FS, would unacceptably delay its completion. In fact, GE's target date for initial demonstration of bioremediation is 1991. While additional data regarding bioremediation will be generated over the life of the project, at a minimum the pilot feasibility data will be available for evaluation as part of the RRI-FS. My staff tells me this point was made at the

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March 12 meeting, but it may not have been stated with sufficient emphasis. Thus, consideration of bioremediation as part of the RRI-FS should not delay its completion. Moreover, my staff will work with yours to look for additional ways to expedite the process.

While prompt completion of the RRI-FS is an important goal, the desire for speed must be tempered by the need to insure that the RRI-FS is thorough and of high quality. In that regard, I must express my concern that EPA's October, 1991 target date for completion of the RRI-FS may be neither realistic nor desirable. As you know, the average time for completion of an RI-FS is more than two years. Given the complexity of this site and the importance of developing a credible work product, we are concerned that the approach outlined in your letter will not allow sufficient time to enable EPA to develop the type of complete, mutually acceptable record on which a decision of this importance should be based. Without an adequate record in which all interested participants can have confidence, it will be difficult to build the consensus required to assure a cooperative approach to remediation of the Hudson. We do not welcome the possibility of endless technical disputes and litigation which could ensue if adequate time is not taken now to evaluate fully the future options for remediation of the Hudson.

I believe your second concern, that GE cannot maintain scientific objectivity in performing the study, is unfounded. GE has a well-deserved reputation for integrity and leadership in scientific research. As a Company which deals with complex technical issues in areas from national defense to the manufacture of health care systems, GE has a significant and direct interest in maintaining, indeed enhancing, this reputation. With respect to environmental analysis, GE has been a leading or major participant in performing investigative studies on more than 50 sites, without any suggestion of bias on GE's part by the oversight agency or the public. As to the Hudson, GE has, on several occasions, publicly compared the relative merits of dredging to bioremediation. There is, however, nothing untoward nor unusual about a public expression of such views about a site. It is normal for parties, including EPA, to express preliminary views on the nature and scope of potential remedies and their relative merits. I should think that GE's hope for effective bioremediation technology is shared by your Agency. Despite our beliefs in this technology, GE clearly understands that the effectiveness of bioremediation must be demonstrated for it to be a viable option here. To use the expression of these views as a basis for barring a party from undertaking an RI/FSSs, would establish a dangerous precedent not only for private parties but more particularly for the government.

As noted above, GE firmly believes that the RRI-FS must be a high quality product which objectively reviews the options for remediation. Only in this way will all parties feel that the remedial option chosen is the correct one. It is precisely for that reason that GE feels so strongly that it should undertake this work. Shutting GE out of the process not only raises the likelihood of technical

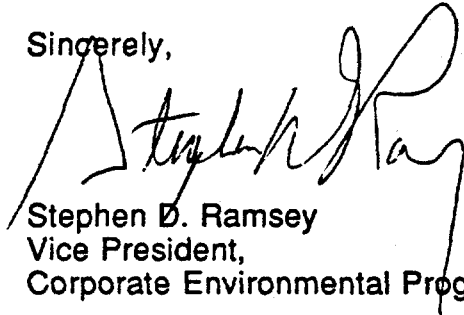
disagreements, but poses serious questions about whether EPA will take a similar position at other stages of this process. Allowing GE to perform this work insures that all parties are involved and have an interest in the successful conclusion of this project. Since EPA will approve the work plan, provide project oversight of work done by GE and, of course, make the decision concerning the remedial option with input from the State of New York and the public, we cannot, frankly, see how the public interest could be better served than for GE to perform this work. Given the need to involve the public in review of the RRI-FS, GE would be willing to assure that adequate funding exists for public participation in the RRI-FS process.

Finally, you have my personal commitment, and that of GE's top management, to ensure that, if allowed to do the RRI-FS, GE will carefully and objectively undertake this important work.

I hope that the information and thoughts contained in this letter will allow you to reconsider the views expressed in your letter and will also serve as the basis for a meeting where GE can discuss ways to meet your concerns. Given the complex nature of the PCB problem in the Hudson River, it is clearly in the public interest for GE and EPA to work cooperatively towards the right solutions.

I look forward to hearing from you regarding a convenient meeting date.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephen Ramsey", is written over the typed name and title.

Stephen D. Ramsey
Vice President,
Corporate Environmental Programs

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