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12 2 APR 1993

Mr. M. Peter Lanahan  
Corporate Environmental Programs  
General Electric Company  
3135 Easton Turnpike  
Fairfield, Connecticut 06431

Dear Mr. Lanahan:

This is in response to your letter of March 3, 1993 and the meeting of March 4, 1993 with my staff, in which you requested that the U.S. Environmental Protection Agency (EPA) modify the scope of work for the Hudson River PCBs Reassessment RI/FS to include General Electric's (GE's) data from the Bakers Falls area. In addition to these data, you requested that EPA analyze the effects of the source in that area and the impact of its remediation on other potential remedies for the river sediments. This request follows the discovery of a source of PCBs to the upper Hudson River in the area of Bakers Falls.

As you are aware, EPA's Phase 1 Report included an important finding that a significant portion of the load of PCBs was entering the water column upstream of the Thompson Island Pool. EPA recognized that this meant that remedial alternatives for the contaminated sediments would not address the entire PCB problem in the Hudson. However, by understanding relative water-column and sediment contributions to fish-tissue concentrations, it would still be possible to make a determination on the proper course of action for the contaminated sediments.

In order to evaluate the problem of where the PCBs in the water column originated, the water-column transect sampling program was designed to answer that question on a reach-by-reach basis. The high-resolution coring program will also add information to identify reaches of the river that are contributing PCB loads. It was understood that this would not pinpoint the source of the PCBs to the water column, but rather, that it would give a better idea of areas that might be examined further in other separate studies (studies which might or might not be undertaken pursuant to CERCLA). GE's recent work in the Bakers Falls area has supplied information which narrows down the area contributing to the upstream source.

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EPA agrees that the Bakers Falls source needs to be investigated, and that the loading of PCBs to the river from that area should be alleviated. Right now we believe the most appropriate course of action is to allow GE to continue these investigations under order by the New York State Department of Environmental Conservation (NYSDEC). As has been stated previously, as our schedule permits, EPA will incorporate relevant, valid data with respect to the Bakers Falls source area into the Reassessment. GE's data, along with NYSDEC's 1992 fish-tissue data, will allow the relative importance of PCB contributions from the water column to be investigated in more detail than originally planned--but that does not really change the scope of work.

EPA is also aware that a continuing source of PCBs to the river could negate or reduce the effectiveness of a remedial action for the sediments, and that an upstream source, if significant, may need to be addressed before implementing a remedy for downstream sediments (but not necessarily before EPA selects a remedy for the sediments). EPA will need to evaluate the data being collected as part of the Reassessment, as well as some of GE's new data, in order to understand potential impacts from the Bakers Falls source. In addition, while GE has concluded that the historically contaminated sediments are not a significant source of PCBs to the fish, EPA will not be prepared to make a determination regarding this issue until we have completed the Reassessment.

While GE's data relating to the fate of PCBs in the Hudson River may be useful, the announcement on March 4, 1993 by GE that it had collected thousands of environmental samples in the river over the last several years concerns me. Since the beginning of the Reassessment in 1990, GE has been aware that EPA requested any data that were available regarding the site. The fact that GE collected such immense amounts of data relevant to the Reassessment, yet did not make EPA aware of this during numerous meetings during that time frame, is unsettling. Although GE certainly has the right to collect whatever data it chooses (to the extent allowed by law), we would appreciate it if you would advise us in advance of such efforts.

Since our March 4, 1993 meeting, EPA and GE staff have met to discuss the data GE collected and the best way to have the data transmitted to EPA. EPA will utilize any data that are relevant and necessary to the Reassessment, as our schedule allows, and so, urges GE to forward the data to us expeditiously. Attached is a list prioritizing the order in which EPA requests that GE's data be transmitted.

In order to keep informed about the progress of the GE Hudson Falls facility investigations to be performed under NYSDEC oversight (Operable Units 2 and 3), EPA requests that GE send copies of relevant submittals and correspondence to EPA. Please send this information to Douglas Tomchuk, USEPA - Region II, Room 747, 26 Federal Plaza, New York, New York 10278.

If you have any questions, please contact Mr. Tomchuk at (212) 264-7508.

Sincerely,



William J. Muszynski, P.E.  
Acting Regional Administrator

Attachment

cc: Thomas C. Jorling, Commissioner NYSDEC  
Frank Bifera, NYSDEC  
John Haggard, GE

bcc: Paul Simon, ORC  
Ann Rychlenski, EPD

## ATTACHMENT

### HUDSON RIVER PCBs SITE PRIORITIES LIST FOR DATA TRANSMITTAL

EPA has prepared this list to be used as a guide for General Electric to transmit its recent Hudson River data to the agency in an order that is most useful to the Reassessment. If an item which is high up on the priority list requires a substantial amount of time before it could be transmitted, and other items below it on the list are nearly complete, then the items below should not be delayed. However, in such a case, GE should notify EPA and at the same time make every effort to complete the higher priority data compilation.

It is important that station location coordinates be included for all data. Maps or written descriptions of the site location would also be useful. EPA is interested in nearly all of GE's data (even if not listed here) provided it is available in electronic form.

#### Priority - Description

1. Water - Temporal Water Column, 4/91 - 6/92, OBG, all data
2. Sediment - Upper River Sediment Survey, 1991, OBG, all data
3. Biota - Food Chain Study, 1992, OBG, all data
4. Water - Storm Event or High Flow, OBG, all data
5. Sediment - Hot Spot Survey, 1990, OBG, all data
6. Sediment - Channel Characterization, summer 1992, 13 sites, all data
7. Biota - Upper River Fish, 1990, Law Env., all data
8. Water - Bathymetric Survey, 1991, 608 transects, physiography
9. Sediment - Sediment Polygon Survey, 1990, OBG, all data
10. Water - Post-Construction Monitoring and Cross Sections, 3/92 to present, OBG, all data
11. Water - Float Survey 1992, OBG, all data
12. Sediment - H7 Survey, 1990, OBG, all data
13. Biota - Lower River Sampling, 1989 - 1991, all data