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Mr. M. Peter Lanahan
Manager, Hudson River Project
General Electric Company
One Computer Drive South
Albany, New York 12205

Re: Hudson River PCBs Site - Feasibility Study

Dear Mr. Lanahan:

This is in response to your letter of February 23, 1994 concerning the Feasibility Study (FS) for the Hudson River PCBs site. In your letter, you request that the U.S. Environmental Protection Agency (EPA) not proceed with the FS until the Phase 2 Report and FS Scope of Work have been issued, comments have been received on those documents, and EPA has responded to those comments.

The concerns expressed in your letter largely appear to be due to a misunderstanding of the process we are following and the provisions of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) relating to FSs. The NCP and EPA guidance describe the FS as being a three-step process: the development of alternatives, the screening of alternatives, and the detailed analysis of alternatives. Pursuant to the NCP and EPA guidance, remedial alternatives are typically developed concurrently with the site characterization conducted under the remedial investigation. Consistent with the NCP and EPA guidance, EPA began the remedial alternative development and screening process during Phase 1 of the Hudson River PCB Reassessment, and the Phase 1 Report included an FS section which identified and initially screened potential cleanup technologies. This provided General Electric (GE) and the public an opportunity to comment on the information presented, as well as other FS issues. EPA responded to those comments in the Responsiveness Summary for the Phase 1 Report. Plans for continuing FS work were outlined in the Phase 2 Work Plan, which gave GE and the public another opportunity to comment on the direction of the preliminary FS work. EPA believes that affording the public such input at early stages of the Reassessment has been beneficial to the project.

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The detailed analysis of alternatives portion of the FS will not be initiated until the Phase 2 Report has been generated by EPA's contractors, since at that point, the information necessary to conduct that analysis will be available. If revisions to any of the preliminary FS work are needed based on public comment on the Phase 2 Report, then such revisions will be made prior to releasing the FS. Actually, the complex issues that you list in your letter support EPA's position to continue work on the FS so that the FS may address such issues without undue delay.

With respect to the FS Statement of Work, EPA has decided not to produce such a document for the purpose of public comment. As you know, a draft document was prepared by EPA's contractors, but we determined it was basically a restatement of EPA's established procedures, as documented in the NCP and relevant Remedial Investigation and Feasibility Study guidance manuals. It did not add significant, new information to the original Reassessment RI/FS Scope of Work and the FS sections of the Phase 1 Report and the Phase 2 Work Plan. These documents provided sufficient information such that the development of an FS Statement of Work is unnecessary.

Finally, I would like to reassure you EPA will be providing for a public comment period on the Phase 2 Report.

In sum, we believe that the process we are following is appropriate and is one which already addresses the procedural concerns expressed in your letter. EPA is continuing to conduct the Reassessment without bias toward a particular alternative. In addition, we are attempting to keep the public, including GE, well informed of our progress. I hope that we can continue to have meaningful dialogue during the remainder of the Reassessment. As noted during the March 23, 1994 meeting, such dialogue could include a meeting to discuss remedial alternatives when sufficient data are available.

Sincerely yours,

Kathleen C. Callahan, Director
Emergency and Remedial Response Division

cc: Langdon Marsh, Acting Commissioner NYSDEC

bcc: Paul Simon, ORC
✓ Doug Fischer, ORC
Ann Rychlenski, EPD