



January 19, 2007

GE
159 Plastics Avenue
Pittsfield, MA 01201
USA

Dean Tagliaferro
United States Environmental Protection Agency
c/o Weston Solutions
10 Lyman Street
Pittsfield, MA 01201

**Re: GE-Pittsfield/Housatonic River Site
Newell Street Area II (GECD450)
Notification of Extension of Storage Limit**

Dear Mr. Tagliaferro:

On January 18, 2006, General Electric Company (GE) submitted to the U.S. Environmental Protection Agency (EPA) a *Proposal for Additional Removal Activities* (Proposal) for the Newell Street Area II Removal Action Area (RAA). EPA conditionally approved the Proposal on February 7, 2006. Pursuant to the measures described in the Proposal for handling and disposition of excavated materials, GE has temporarily stored excavated materials in designated buildings on the GE Plant Site pending shipment for off-site disposal at a permitted facility. The purpose of this letter is to notify EPA, pursuant to 40 C.F.R. § 761.65(a)(2), of an extension of the 1-year time limit for the storage of the PCB-containing excavated materials.

A. Background

GE conducted a subsurface investigation within the Newell Street Area II RAA in response to the discovery of buried drums and capacitors during the performance of soil removal activities within portions of the RAA. The results of the subsurface investigation were summarized in a document title *Subsurface Investigation Summary Report* (Subsurface Report) that GE submitted to EPA on December 20, 2005. As reported to EPA, the subsurface investigation revealed that the soils contained contaminants including PCBs.

As discussed in the Proposal, GE agreed to conduct the excavation, storage and disposition of materials from the RAA under the Consent Decree (CD) for the GE-Pittsfield/Housatonic River Site, notwithstanding GE's position that the activities were not required by the CD. In addition, although analysis of the materials in the RAA demonstrated that, under the CD, the excavated materials could be placed in the Building 71 Consolidation Area on the GE Plant Site, GE nonetheless proposed, in an effort to ameliorate local concerns, to ship the excavated materials for off-site disposal in a permitted facility. As noted, EPA conditionally approved GE's Proposal.

In February and March of 2006, GE excavated approximately 5100 cubic yards from the RAA. As described in the Proposal and follow-up notifications to EPA, these materials were stored in three designated buildings on-site pending shipment for off-site disposal, consistent with procedures and requirements approved by EPA which EPA has advised GE that it considers to be ap-

plicable or appropriate requirements (ARARs) under the CD. A removal from service date for all of the excavated material in each building was established based on the first volume of material that was placed in each building for temporary storage. GE contracted with Veolia ES Technical Solutions, L.L.C., for incineration of the materials at Veolia's facility in Port Arthur, Texas.

The temporarily stored materials have been shipped to Veolia over the past several months at a rate that allows Veolia to manage the materials upon receipt. The material was shipped from the buildings in the order in which it was excavated and temporarily stored (i.e., the material that was excavated first and stored in Building 68 was shipped for disposal first). Approximately 4000 cubic yards of material have been shipped to Veolia. Approximately 1100 cubic yards of material remain in temporary storage in Building 14 awaiting shipment for disposal. The removal from service date for this material (i.e., the date any excavated material was first placed in Building 14) is March 17, 2006. Accordingly, the 1-year limit on storage for disposal for this material is March 17, 2007.

Initially, Veolia believed that the materials could all be disposed of by March 1, 2007. However, GE was recently informed by Veolia that it will not be able to complete incineration of the materials by that date for several reasons. First, due to the low BTU value of the materials excavated from the RAA, they must be blended with higher-BTU materials prior to incineration, which limits the rate at which they can be managed. Second, Veolia has informed GE that Veolia will need to shut down the incinerator for the month of February 2007 for preventive maintenance. Finally, Veolia stated that they already have a backlog of materials awaiting incineration due to storage limitations at their facility. For all these reasons, Veolia has informed GE that it will not be able to process the remaining 1100 cubic yards of materials in Building 14 until several months after restart of the incinerator in March of 2007.

B. Notification of Extension

GE is notifying EPA that it will not be possible to secure disposal of all of the PCB-containing materials excavated from the RAA within one year of the date that those materials were removed from service. GE has met all of the conditions set forth in 40 C.F.R. § 761.65(a)(2). GE is notifying EPA more than 30 days before the 1-year time limit expires: the excavated material was first placed in Building 14 on March 17, 2006 and the 1-year limit expires on March 17, 2007. This notification includes the following required information:

- Storer: General Electric Co.
- Waste Type: Remediation waste
- Volume: Approximately 1100 cubic yards
- Location: Building 14 at 100 Woodlawn Avenue, Pittsfield, MA 01201

GE's efforts to dispose of the material and the reasons for the failure to meet the initial 1-year time limit:

- GE has successfully secured disposal of more than 75% of the PCB-contaminated material that was excavated from the RAA within the 1-year limit established by 40 C.F.R. § 761.65(a)(1).
- GE has been in regular communication with Veolia regarding the disposal of this material since the inception of the project, and GE has a contract with Veolia that contemplated the disposal of this material within 1 year of the removal from service date. Thus, GE initiated and continued attempts to secure disposal of the material throughout the time it has been in storage. GE will remain in communication with Veolia regarding the schedule for disposing this material.
- The reasons why the 1-year limit cannot be met for the material remaining in Building 14 relate to technical issues outside of GE's control, including:
 - The low-BTU value of the material, which has limited its throughput at Veolia's incinerator;
 - Veolia has a backlog of material awaiting incineration; and

Veolia has recently informed GE that its incinerator will be shut down for preventive maintenance in February 2007 and will not be back online until March 2007 (i.e., the incinerator will be down during the final month of the 1-year storage time limit).

The very limited PCB incineration capacity in the country, combined with the fact that this is a low-BTU material and GE's existing contractual relationship with Veolia, make it infeasible to enter into a disposal arrangement with another facility (and, as noted above, GE has with EPA's concurrence decided not to dispose of the material in the Building 71 Consolidation Area). GE also understands that Veolia contacted other incineration facilities in an attempt to secure alternate disposal for the wastes remaining in storage.

While 40 C.F.R. § 761.65(a)(2) grants GE an automatic one-year extension of the storage period (i.e., until March 2008) upon receipt of this notification by EPA, GE understands, based on the information provided to it by Veolia, that the material remaining in Building 14 will be disposed by July or August 2007.

Please contact me if you have questions or need additional information regarding this notification.

Sincerely,



Richard W. Gates
Remediation Project Manager

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