



General Electric Company

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VIA E-MAIL

Attention: Ms. Sandra Treccani
Site Manager
Washington Department of Ecology – Toxics Cleanup Program
4601 N. Monroe Street
Spokane, Washington 99205-1295

**Re: GE Spokane Site - Facility Site ID 630, Cleanup Site ID 1082
4323 E. Mission Avenue in Spokane, Washington (Site)
Response to Spokane River Regional Toxics Task Force's Biofilm and
Surface Water Fingerprinting of PCB Data at GE Site Report**

Dear Ms. Treccani and Task Force Members:

On June 6, 2023, General Electric Company (GE) received an email from the Washington Department of Ecology (Ecology) forwarding a report entitled *Biofilm and Surface Water Fingerprinting of PCB Data at GE Site* (emphasis added) (LimnoTech, June 5, 2023) (Report). This Report was prepared on behalf of the Spokane River Regional Toxics Task Force (Task Force). Though the Report targeted the GE Site, GE was never contacted about or included in the process for: scoping the project or the Report; evaluating the scientific validity of the testing approaches; reviewing the sampling methods or sample locations, including establishment of "control" samples and the use of congener analyses; or, assessing the quality or validity of the underlying data. Instead, as a courtesy to GE, Ecology provided GE with a copy of the draft final Report less than one week before comments would be due from parties in the Task Force.

This short timeframe is plainly insufficient to review the premises, methodology, and conclusions of a lengthy Report applying novel scientific and analytical approaches. To ensure accuracy, the Task Force and Ecology must consider input from GE before finalizing the Report. It is unreasonable and illogical to request input from other interested parties like those on the Task Force, without also providing GE with sufficient time to evaluate and comment on the Report. GE requests until September 29, 2023 to provide the Task Force and Ecology with appropriate comments. Anything short of this timeline would be a significant violation of GE's due process rights and would clearly indicate that the Task Force and Ecology are not interested in receiving substantive comments from GE.

After a high-level cursory review, and for many reasons including those set forth below, GE fundamentally disagrees with many aspects of the Report, especially its apparent suggestion that the Site is a primary source of polychlorinated biphenyl (PCB) contamination to **surface water** along a certain stretch of the Spokane River (River) due to the purported continuing migration of **PCB-impacted groundwater** from the Site.

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1. Before performing its analysis, the Task Force selected Site groundwater as the source of PCB contamination to this stretch of River water and ignored other potential contributions from numerous other possible PCB sources along the same River reach. GE's Site is located approximately 1,500 feet from the River and within a heavily industrialized area of Spokane Valley. Numerous other potential sources of PCBs (including those containing Aroclor 1260 - the most common transformer Aroclor) exist between the Site and the River, particularly: electrical equipment (e.g., transformers, power poles, high voltage power lines, and other items), an active railroad and railyard, and many other industrial properties. To GE's knowledge, contributions from these numerous additional sources have not been assessed or investigated. This singular focus on the GE Site pre-determined the Report's conclusion that the Site must be the source of detected PCB concentrations impacting the water in this reach of the River. In other words, rather than collecting and reviewing area-wide data to identify all possible PCB sources to this River reach, the Report appears to have started with the conclusion that **groundwater** from the GE Site was the source of PCB impacts and worked backward to provide a purported rationale for that conclusion.

2. GE has remediated the Site pursuant to National Priorities List (NPL) requirements established by Ecology. The Site remains compliant with those closure requirements, and Ecology has determined that the completed remedy remains protective of human health and environment. As part of the Site cleanup performed in the 1990's, GE excavated thousands of cubic yards of soil and installed an asphalt cap as an impermeable cover system to minimize surface water infiltration and the migration of PCBs to groundwater. This remedy was reviewed extensively during the NPL process. In 1995, Ecology imposed a restrictive covenant with institutional and engineering controls at the Site to ensure that the cap would be regularly inspected and maintained. As confirmed by Ecology through four, 5-year Periodic Reviews (the most recent documented in July 2022) GE has maintained the institutional and engineering controls since their inception. In the 2022 Periodic Review, Ecology stated, "Institutional and engineering controls currently in place for the Site remain effective at protecting human health and the environment."

3. GE's groundwater data shows that PCBs from the Site are unlikely to reach the River. GE has monitored Site groundwater and provided the reports containing the data to Ecology and other project stakeholders for approximately 25 years since completing remediation. Other than at MW-11, the monitoring data for the past 6 years has not detected PCB concentrations above established cleanup levels. MW-11 is the only well for which PCB concentrations slightly exceed these cleanup levels, but this well is not near the River. Most importantly, sampling results from the well closest to the River and furthest from the Site (MW-22 – 600 feet from the River) have identified only one anomalous detection of PCBs above the laboratory detection limit since that well was installed and first sampled in 1999. This detection occurred in July 2003, meaning that for better than 20 years, regular monitoring has indicated that any residual PCB impacts that might originate with the Site have attenuated before reaching the River.

4. The Site has no ongoing operations, lacks both point source and non-point source surface water discharges to the River, and is not subject to NDPEs permitting requirements. For these reasons, it is unclear why the Task Force would include this Site in a process that is intended to establish total maximum daily load (TMDL) levels for PCBs to improve River water quality under the Clean Water Act. We can find no precedent or regulatory basis for including NPL groundwater sites without any permit-regulated discharges in any TMDL regulatory process.

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Based upon our initial, high-level review of the Report, GE has concluded that groundwater from the Site is unlikely to be a meaningful source of PCB contamination to water in the River. The Report predetermined this connection without analyzing other sources. Moreover, application of any TMDL process to Site groundwater is unsupported by the status of the Site.

GE respectfully requests that the Task Force reject this Report in its present form absent an opportunity for GE to provide more robust analysis, comment and peer review. GE further asks to be included in any future discussions of this matter that allege a connection between GE's Site and River water contamination.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Witsell".

Bob Witsell, P.E.
General Electric Company, Brownfields Project Manager

Cc: Spokane River Regional Toxics Task Force